

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

KAPLAN, *et al.*,

Plaintiffs,

v.

HEZBOLLAH, *et al.*,

Defendants.

Civ. No. 09-646 (RWR)

DECLARATION OF PLAINTIFF ELISHEVA ARON

Elisheva Aron of Jerusalem, Israel, declares pursuant to 28 U.S.C. §1746, as follows:

1. I am an American citizen and was born in Houston, Texas on February 11, 1973.
2. I am a resident of Israel and currently live in Jerusalem.
3. My ex-husband, Avishai Reuvane, is also an American citizen.
4. In 2001, before we met, Avishai and I both immigrated to Israel individually.

Each of us came here alone and without any family or friends.

5. We met in Israel and got married in 2003.
6. We are the parents of Ben Tzion Reuvane, who was born on April 20, 2008.
7. In July, 2006, Avishai and I were living together in Tzfat. We had divorced in 2005, but at that time were making an attempt at reconciliation.

8. On July 12, 2006, when Hezbollah started firing rockets at civilians cities in northern Israel, including Tzfat, I began feeling truly afraid for our well being. Sirens and explosions were heard constantly around us, and we didn't have a bomb shelter in our house or close by. I was utterly terrified.

9. On July 13th, the second day of the war, a katyusha rocket fired by Hezbollah from Lebanon hit the roof of the house next to ours. The explosion was devastating and everyone in the area was shocked.. Having a missile hit so close to us only further deepened my anxiety and fear.

10. Later that day, when Avishai went into the office in our house, another rocket fell and struck our neighbor's house. The rocket hit the neighbor's house directly on the other side of the office wall where Avishai was. The intensity of the impact, which occurred just less than 10 feet from where Avishai was standing, threw him across the room and into the other wall. The hit knocked him unconscious and he sustained several injuries as a result of it. The impact of the rocket broke many of the windows in our home.

11. After Avishai was injured, our sense of distress and the overwhelming fear for our lives led us to flee Tzfat in the middle of the night. We decided to go south to Jerusalem where the rockets couldn't reach us. We were instructed by the government to leave everything as it was. They told us that we couldn't repair the broken windows until after the war ended. We did not have time to board them up, and so we left. It was impossible to stay there in the condition that our home was in.

12. Since we were both relatively new to the country and didn't have family or many friends, we couldn't find a decent place to go to. Moreover, we couldn't afford to pay for alternative housing since we had very little money. Our bank, which was located in Tzfat, was closed due to the on-going war and there was no one we could speak with about either taking out a loan or receiving an extension of credit on our account.

13. Ultimately, we were given keys to a friend's apartment in Jerusalem. Sadly the apartment was completely empty and unfurnished. I had to sleep on the floor the entire duration of the war.

14. That night, after we got to Jerusalem, the reality of the state of our lives became even more unbearable. Avishai decided to go to the old city and visit the Western Wall. He felt a compelling urge to visit this holy site and pray following the horrific events of that day. When he arrived there he encountered a couple of Arab men who were determined to harass and tease him. They made offensive comments about his being Jewish while referring to the rocket attacks in the north and his injuries. Avishai, who had always been a peace loving, calm, and completely non-violent person, engaged in a physical fight with the two men. He just lost control. This uncharacteristic decision was obviously a reaction to the events of that stressful day. This event led to his arrest and ultimately to his year long incarceration in jail.

15. After his arrest, the feelings of solitude and helplessness were almost too great to bear. On top of barely speaking the Hebrew language and not knowing anyone who could help or assist me, my life partner had been thrown in jail and I was left to deal with the situation completely on my own.

16. Due to the trauma I experienced, I couldn't return to Tzfat even after the war ended. I was constantly afraid of being killed in a terror attack. The feeling of safety and peace I once had there was now lost forever.

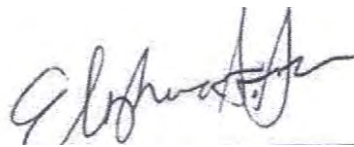
17. The rocket attacks left me with substantial financial difficulties. While I was in Jerusalem, not only were living expenses significantly higher than in Tzfat, but I also had to continue paying rent to my landlord in Tzfat. Worse, the war left me without any income.

18. Before the rocket attacks, I worked for a company in Tzfat organizing conventions primarily for tourists visiting Tzfat. The war brought tourism in Tzfat to a grinding halt and the Tzfat branch of our company that had previously been extremely successful, especially in the summer months, was forced to completely shut down. Tourists were afraid to go to Tzfat during the terrorist attacks and that situation lasted even several months after they ended. My place of employment was almost entirely dependent on tourism and a large portion of its annual income relied on its summer business. As of a result of the great financial loss they could not afford to pay me my salary or any compensation even later on.

19. The rocket attacks took a great toll on me. My family was destroyed; Avishai and I couldn't get back together after the year he spent in jail and all that had happened to us, even though we tried several times. He is a changed man – for the worse. I lost the sense of security I once had and suffered great emotional, financial and mental trauma. Unfortunately, due to my difficult financial state, and the time and energy it took to try and put my life back together by resettling in a new city and finding a new job, I was not able to seek psychological counseling or other professional help. Without this help, I continue to feel the effect of the trauma I underwent every day and probably will for many years to come.

I declare under the penalty of perjury of the United States of America that the foregoing is true and correct.

Executed on March 29, 2012



Elisheva Aron

Divider page

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

KAPLAN, *et al.*,

Plaintiffs,

v.

HEZBOLLAH, *et al.*,

Defendants.

Civ. No. 09-646 (RWR)

DECLARATION OF PLAINTIFF BRIAN ERDSTEIN

Brian Erdstein, of Tzfat, Israel, declares pursuant to 28 U.S.C. §1746, as follows:

1. I am an American citizen and was born in Detroit, Michigan in 1970.
2. I am a resident of Israel and live in the northern city of Tzfat.
3. My wife, Karene Erdstein, who is also an American, and I, met in Jerusalem, Israel, and we were married on April 1, 1996.
4. We have five children, four of whom were alive during the 2006 war perpetuated by the Shiite terrorist group Hezbollah against Israel. Our oldest daughter, Mayan, was severely traumatized by the war and suffered from the serious resulting psychological effects of this experience.
5. On the morning of July 13, 2006, the first day of the 2006 war, we heard several loud explosions but did not give them much thought. We often hear air force jets breaking the sound barrier (which can sound like an explosion) and had no idea that a Hezbollah rocket attack on our home was possible, much less imminent. Later that afternoon, I was standing in the courtyard outside our home when suddenly a rocket passed right over my head. It passed by so

close to me that I could actually feel the heat of the rocket on my skin. It was a surreal and terrifying experience. It took me a moment to process what was happening, but as soon as I realized what the rocket was, I dove into a corner of the courtyard for cover. This rocket exploded a few houses away from where I had been standing and this explosion and several others which followed in short succession led us to realize that we were somehow now in the middle of rocket volley from Hezbollah.

6. I was in complete shock. At first I could not collect myself, but then I ran up to our roof (admittedly not a very smart reaction) to survey the scene and try to understand what was happening. I observed a plume of smoke two stories high just down the road.

7. Twenty minutes later another barrage of rockets came right at us again. This time, after the loud explosions made by impact, I heard complete silence, which was then followed by a very eerie sound - a person wailing in grief. This was terrifying. As neither our home nor the homes of any of our neighbors had a bomb shelter, we didn't know what to do or where to go. So we simply huddled together and prayed that the rockets wouldn't land on us. It was a horrific feeling. We were too scared to leave the house and felt like we could be killed any moment. I was scared for my wife and children and felt that I could not simply leave them unprotected. Everyone was crying and fearful. We later found out that the wailing had come from a family member of one of our close neighbors who took a direct hit from that rocket and was killed.

8. When this second rocket barrage seemed to end, Karene and I had mutually come to a conclusion about how dangerous our situation was, and that we had no choice but to get as far away from this danger as possible. We were just too vulnerable staying where we were, and the children were terrified and wanted to go somewhere where there were no rockets. We had no

choice but to flee our home.

9. We noticed that one of our neighbors was quickly packing their car to head south, out of the range of Hezbollah rockets, and they agreed to squeeze us into their car with them in order to get out of Tzfat as quickly as possible. These neighbors were in such a hurry to leave that they didn't even replace their rear car seats, which had been removed earlier that day in order to vacuum out the car. So we also left in haste - bringing only a few essential clothing items, some money and our cell phones (though we forgot our cell phone charger, which would result in our being without working cell phones for the balance of the war). We never dreamt that we would be gone for more than one or two nights, and were confident that Hezbollah's threat would be repelled quickly by the Israeli government so that we could return back to our home in peace.

10. We soon realized that we would be gone for much longer than just a few nights. We went to stay with old friends in the town of Bat Ayin, but quickly discovered that we were unintentionally being a big burden on them, as their small home was already filled to capacity with their large family. We then were able to rent a tiny apartment in the city of Ranana. We had to eat meals in shelters for needy people because we were so low on money. We weren't supposed to take any of this food with us, but one of the men running the shelter could tell how needy we were and would always give us an extra loaf of bread to take. I was very troubled by this. I felt very embarrassed about not being able to work and be precluded from providing for my family. Having to be given food like a homeless family was emotionally devastating. I could see the negative impact it was having on my wife and children as well.

11. I was completely in shock from the traumatic events I had witnessed firsthand and from the fact that my family had suddenly turned into a wandering group of refugees. I was completely on edge, and very anxious. If I heard a car door slam, I would jump right out of my

seat. I felt as if I was losing my mind - I really just couldn't function and felt like I had to get away from Karene and the kids - it was just too much pressure for me to try and figure out how to take care of them under these desperate circumstances. For several days, I was very depressed and would just sleep for long periods of time and not get out of bed. On my worst days, I had trouble retaining a lucid thought, was confused by my surroundings, and unable to make decisions on my own. I became increasingly frustrated, short-tempered and angry. And whenever I was able to pull myself together and venture out, I would be extremely anxious and jumpy. To try and calm myself down, I started to smoke, which was a huge change of behavior for me because prior to this I had never smoked in my life. Six years later I am still smoking to try and calm my nerves.

12. The entire episode of being forced from our home and becoming wandering refugees was a debilitating experience, and is something that continues to affect us to this day. A shattering consequence of the rocket attacks was that my wife had a miscarriage. This loss had a profound effect on my wife especially. Karene had been having a perfectly healthy pregnancy, but she was just too overextended by the trauma of being in a rocket attack and having to flee, and then take care of all of the kids when they were anxious and upset and I was out of commission and not of very much help. The constant change of accommodations and many bus rides moving from town to town also certainly took their toll on her. I felt so guilty that I was unable to be with Karene during this traumatic time - that I couldn't even accompany her to her medical operation and that she had to struggle with this trauma on her own. But we had no one to watch the kids for us, and I was barely holding on in doing that for the few days that she left to have the operation. And even if I could have been there with Karene, I was in such a weak state emotionally that I doubt I would have been able to be the supportive husband that I really wanted

to be.

13. What was also extremely traumatic for me was our financial situation, which I think exacerbated a lot of our problems. I was used to being a bread winner as a tour guide, and the summer was my high season for tours. We would rely on my summer tourist season income for the entire year, so to miss the season completely was simply financially devastating. When we were forced to flee our home, we really had no money left in the bank, and had been planning to generate much-needed income with a series of promising, upcoming tours, all of which obviously were cancelled due to the rocket attacks. On top of this, having to incur extra expenses in rent, new clothing, transportation, extra food, and the other costs of being forced out of our home, really set us back. We did skimp wherever we could: we ate most of our meals at local soup kitchens, bought second hand clothing and picked the cheapest short-term rental we could find. But being so careful just wasn't enough - we just didn't have enough money to live on, and I had to borrow \$4,000 from my parents so that we could get by. This loan has caused considerable tension with my parents, who are upset that we have been unable to pay them back to date. I also tried borrowing money from other relatives, but these efforts were unsuccessful and my frustration about this exacerbated my anxiety about our financial situation. I felt at the bottom of the barrel, and that no one was reaching a hand out to help us. The Israeli government didn't pay us one penny of support for all of the expenses we incurred during this time.

14. When we finally were able to return to our home, things did not revert back to normal so quickly. We still had no money, and really didn't start to make a steady income until tourists started returning back up north, which took several months. And as I was determined that we should never be put in such a precarious situation again, I insisted that we build a bomb shelter under our home. We didn't have the money for this, but I managed to somehow get a

bank loan for approximately \$10,000 to build the shelter, which is roughly a quarter of the size of our home. I have carefully stocked the shelter with emergency supplies and I keep large plastic water bottles and old doors on the roof. At the first sound of incoming fire I will run to fill up the bottles and place the doors in front of our windows, so at least now I'll be ready if need be. I have learned the hard way that we just can't be in a situation where we are forced to flee our home again.

15. Since the war, I have been making improvements psychologically with my fragile emotional state, but progress has been slow. I find that I am more irritable and more easily frustrated in general than I was before the war. Additionally, I am less positive and friendly, and have difficulty concentrating. I still get flashbacks, though less often than I used to, about the rocket whizzing by my head, and I play out different scenarios in how I could have responded to this. I also strictly avoid all media, as I am afraid to listen to the TV and radio, and be subjected to the news, because I am afraid of hearing about something that will make me think back to the rocket attacks.

16. Our daughter Mayan, who is now 15, was very seriously traumatized during the war. She refused therapy and kept her feelings bottled up inside, which is something I deeply regret, because only recently has it become abundantly clear to me just how detrimental an impression the war made on her. Mayan is an aspiring singer and has written one song, called "War", which is about the pain she feels about war. It is a beautiful song but is also heart-wrenching for me to hear, because I know which war she is referring to and how negative an impact the trauma she suffered during this war had on her life.


17. Since the war she became very tense; loud noises make her jumpy and cause her to act aggressively.

18. Mayan no longer lives at home - she is at a boarding school that is better equipped to provide her the help she needs - but we had a big set back in her progress a few months ago when she made a suicide attempt. We are hopeful that getting professional help now will enable her to come away from the brink, though we know that any kind of normal life for her is likely to require a lot of work and time for healing.

19. Regarding our other children, since they were very little at the time of the war I can't point to a direct change in their behaviour, but the effects of the period of rocket attacks undoubtedly dramatically influenced their lives. We changed from a happy, functioning home to a trauma-struck family; their parents and older sister changed almost without recognition.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on March 29, 2012


Brian Erdstein

Divider page

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

KAPLAN, *et al.*,

Plaintiffs,

v.

HEZBOLLAH, *et al.*,

Defendants.

Civ. No. 09-646 (RWR)

DECLARATION OF PLAINTIFF KARENE ERDSTEIN

Karene Erdstein, of Tzfat, Israel, declares pursuant to 28 U.S.C. §1746, as follows:

1. I am an American citizen and was born in Columbus, Ohio in 1976.
2. I am a resident of Israel and live in the northern city of Tzfat.
3. My husband, Brian Erdstein, who is also an American, and I, met in Jerusalem, Israel, and we were married on April 1, 1996.
4. We have five children, four of whom were alive during the 2006 war perpetuated by the Shiite terrorist group Hezbollah against Israel. Our oldest daughter, Mayan, was severely traumatized by the Hezbollah rocket attacks on northern Israel and suffered from serious resulting psychological effects, which have markedly altered the course of her life.
5. I am trained as a registered nurse and doula, but because of the trauma I suffered during the 2006 war I have been unable to pursue these professions. As such, my only income since that time has been from instructions I have given as a pottery teacher.

6. In the early afternoon of July 13, 2006, the first day of the war, I was in the kitchen of our home in Tzfat preparing a meal when a series of explosions rocked our house. The blasts were extremely loud and were simply terrifying. My husband had been outside and had been very close to one of the first rockets when it exploded. He was badly shaken by what he had experienced. A number of rockets had exploded just a few houses away from our home, and our residential neighborhood was suddenly cast into chaos. Approximately twenty minutes later another volley of rockets exploded in rapid succession near us. One of these rockets instantly killed one of our neighbors. The entire neighborhood was hysterical at coming under these sudden and totally unexpected attacks. I grew up in suburban Ohio and had never been near any military conflict, and being in the middle of a rocket attack was simply terrifying and surreal. I was just completely stunned that we had only nearly averted becoming targets of a terrorist assault, and that the peacefulness of our idyllic life in Tzfat had been so suddenly and brutally shattered.

7. All of our children were obviously frightened, but our oldest daughter Mayan, who was eight at the time, was completely hysterical. She was clinging on to me tightly, shrieking and crying at the same time, and could not be consoled. Our other children were also quite afraid and were latching on to me. I was doing everything I could to calm them down, and to keep myself calm especially as I was four months pregnant at the time.

8. After the second series of rockets hit near us, Brian and I decided that it was not safe for us to stay at home (we did not have a bomb shelter and there was no public shelter that we could go to) and that we would have to flee Tzfat. We did not own a car and did not know how we could flee the city safely. Neighbors of ours were frantically packing up their car to head

south (they didn't even take time to replace the rear car seats they had removed that morning while cleaning the car), and they agreed to let us all pile in with them to evacuate.

9. We don't have any close family living in Israel and we didn't want to burden anyone, so we really didn't know where we were going or what we were going to do. We just knew that we had to get out of there and fast. We left suddenly without even the most basic essentials - just some clothing and a little money. We did not expect to be away for long, as we assumed that the threat would be quickly overcome and that we would be returning home in a few days.

10. On our way down south, we decided to stay with friends in Bat Ayin, a community near Jerusalem where we had lived prior to moving to Tzfat. We felt uncomfortable moving in with these friends, who had six children of their own, but we really had nowhere else to turn. Exacerbating our discomfort was the fact that our friends were not well off, and we didn't want to impose. We quickly found that something as simple as breakfast was a great stress - 10 kids trying to equitably split up a pot of oatmeal was no simple task, and it made me feel embarrassed to be eating their food. I went out to a local grocer to purchase some food with the little money we had, but I also felt this to be inadequate. After a few days it became abundantly clear that we were imposing on the goodwill of our hosts, and we resolved to move on even though we had nowhere to turn. The entire north of the country was under attack and many government agencies tasked with helping those who had to flee the danger were completely overwhelmed trying to cope with the crisis.

11. After two days we realized that the rocket attacks were not going to be over so quickly and that we were going to remain refugees from our home for a while. We decided to go to the city of Ranana, where we heard that other refugees from the north had fled and where

relatively inexpensive monthly rentals could be obtained. We took a three hour bus ride to the city of Ranana, where we were able to rent a tiny apartment (it had only one small bedroom that was so tiny that it could accommodate only a single bed, with no room to spare). But even this rental was a stretch for us financially. We were able to borrow \$4,000 from Brian's parents in order to cover a month's rent and to pay for a few very basic necessities - like underwear for the kids (we left without even a change of underwear), soap and medicine and brushes for the kids (who had all contracted lice). We were able to conserve what money remained by eating meals at a shelter for indigent families. This was terribly embarrassing for all of us, especially for Mayan, who feared that she might be seen by someone she knew.

12. Brian was not well during this time. He was suffering terribly - to the point of being incapacitated - from the trauma of witnessing one of the rocket attacks and from being forced from our home. For the first two weeks of our ordeal he was unable to help out with the kids. I was becoming increasingly over-extended. There were just too many demands on me and my pregnancy was sapping my strength as well. We were not in our normal surroundings, so the kids had no friends to play with, and we don't let the kids watch TV, so they needed constant attention. Even the positive things about Ranana were difficult to navigate. While we had the advantages of being in a nice city, full of parks with kids laughing and screaming in joy, we were too traumatized to appreciate this, and watching the carefree children run around with no worry in the world made our kids felt even worse.

13. My health was continuing to falter. I was overall feeling very down, even depressed, and had extremely low energy. I was finding it hard to breathe fluidly and I feared the stress could effect my pregnancy. And all of the anxiety I was having was also causing me to have heart palpitations. I also started noticing drops of uterine bleeding, which was obviously

alarming and made me concerned that there might be a serious problem with my pregnancy. As soon as I noticed this bleeding, I immediately made an appointment for an ultrasound in the nearby city of Bnei Brak.

14. My appointment was the single most devastating experience of my life. I had my ultrasound, and I could see the outline of my baby on the monitor - it was really small, but I could see its hands and feet. After checking me, the technician dryly stated, "There's no heartbeat....sorry". Just like that. I felt like someone had just punched me hard in the stomach and I was gasping for breath. My head was spinning. I felt that there had to be some mistake and asked the technician to check again, but I was curtly given the same result. My baby was dead!

15. I was then shown in to a doctor, who told me that I had to have a "D&C", or dilate and curettage, which is the necessary procedure after a miscarriage. This required me to have general anaesthesia, which was really difficult for me because I am a strong believer in natural birth and natural remedies. The doctor gave me a form to bring back when I returned for the operation the following day. I just remember grabbing the form and running outside, and then just breaking down on the street corner, sobbing uncontrollably.

16. I just felt so sick to know that I was walking around with my dead baby inside of me. And I felt so alone - Brian couldn't accompany me because someone had to stay with the kids. And I knew that he was barely managing even that. I couldn't even call him on my cell phone, because its battery had run out and in the haste of leaving our home we had forgotten to bring the chargers. So I was completely alone, and really scared.

17. I went to the home of someone I knew in Bnei Brak, a single woman who had a spare mattress on the floor for me, and I took some medication they had given me to prepare myself for the operation. That night was extremely difficult for me - not just emotionally but

also physically - as this medicine was meant to induce a labor-like response, and I stayed up most of the night suffering from terrible cramps.

18. The next day I went to have the medical operation, but I asked for them to check me one more time, because I just didn't want to believe that I had really lost the baby. They took another ultrasound but it had the same result. After the procedure, I just remember feeling horrible. It was a devastating loss. And I was so angry - if I had just been able to stay at home and take care of myself like I would have under normal circumstances, then I am sure I would have been fine. But all the extra trauma of surviving a rocket attack, being chased out of our home, being homeless and cash strapped, imposing on friends and eating in shelters, and having to take care of the children essentially all on my own - it was simply too much for me.

19. Once I was discharged I went back to Ranana to Brian and our kids. I slept on the single bedroom mattress with all of the kids on top of me, and Brian slept on a mattress in the kitchen. I then became very ill - I couldn't hold down any food and was vomiting repeatedly - and I spent the next few days not moving from the bed, with high fever and shivering. When I knew that I had to get medicine I went to see a local doctor who diagnosed me with tonsillitis. My first round of antibiotics did nothing, and then I was given a stronger type which worked but also made me nauseous. And during this time I continued to have heavy uterine bleeding, with heavy discharges of blood and of big blood clots.

20. I now started experiencing post-partum depression, which I later learned is not uncommon in cases like mine. But I had no idea at the time that this is what was happening to me. I just knew that I was depressed and completely overwhelmed, and couldn't handle my children. I just wanted them to go away. And, frankly, at times I just felt that I wanted to die.

21. When the war finally ended, we were able to go home. But that was not the end

of our troubles. We owed a lot of money and at first had no money to get the kids new shoes or other necessities. Brian, a tour guide, had lost his entire income from the high season of his work - which usually keeps us going for the entire year. So we were missing a huge part of our annual income. And then there was the depression and anxiety. It lingered in both Brian and me. We both fought with depression and constant nervousness, the loss of our baby and our damaged relationship with each other due to the tremendous stress this whole ordeal had put on our marriage.

22. Brian also became increasingly anxious about another rocket attack. He borrowed a large sum of money from the bank - that we're still paying off six years later - to build a bomb shelter under our home. So at least for the next Hezbollah rocket attack we won't have to be refugees again. But Brian has become compulsive about this - and is always stocking the room with another can of tuna or bottled water. We could probably live down there for three years. I catch him all the time compulsively sneaking something else into the shelter, as if it's really needed. It's very sad to witness him fearfully storing supplies in anticipation of the next missile attacks on our home.

23. Another significant result of the rocket attacks was that my professional ambitions were squashed. From a young age I had dreamed of being a midwife. I took two extra years of nursing school with this objective specifically in mind, and then worked for a year after which I studied for a very challenging exam in order to get my midwife credentials. But I just can't handle the stress of this type of work anymore. My nerves are shot now. The miscarriage also created some long term images that continue to haunt me. So sadly, I just don't feel capable of following through anymore with what, prior to the war, had been one of my major life goals.

24. The saddest consequence of the war was the emotional decline of our daughter

Mayan. The entire episode of the war caused her deep trauma at a very impressionable age, and this has unfortunately had a very significant influence on her life. Mayan, who now is 15, no longer lives at home, but attends a boarding school that we feel is a better environment for her and she visits us ever two weeks over the weekend. Mayan is a very sensitive soul, she is a musician and she has written many poems and sings about pain. She has written one song, called "War". It's an amazing song. She wrote it about a year ago, and it's about war and how she doesn't want war anymore. We don't watch TV or movies in our home, and her only reference to war and the motivation for this song is her firsthand, very painful experience, of the 2006 war.

25. Since we returned home following the war, Mayan has been caught in a downward spiral. At first we thought she was just moody and extremely jumpy - edgy about noises and being alone - which we thought was a normal reaction to the trauma experienced. Despite our encouragement, Mayan refused therapy and stayed very closed - never wanting to talk about her feelings. We didn't know how to relate to her and sent her to one of the best schools for counselling teens with issues like hers. But to our utter horror, Mayan recently attempted suicide, by slitting her wrists with a blade. She was rushed to the hospital and thankfully she is physically okay, but obviously she is a very hurt and damaged young woman. We knew she was struggling but didn't realize the extent of her pain, and we are just completely distraught.

26. But the good news is that Mayan has finally, after realizing how much she needs help, agreed to see a psychiatrist, so hopefully she can begin the process of trying to heal herself emotionally and rid herself of the trauma that has shaped so much of her young life.

27. There is no doubt in my mind that Mayan would not be in such a dire circumstance today had it not been for the trauma she suffered during the period of the rocket

attacks.

28. Regarding our other children, since they were very little at the time of the rocket war I can't point to a direct change in their behaviour, but the effects of the war undoubtedly dramatically influenced their lives. Previously a happy, functioning home we became a trauma-struck family, with parents and an older sister changed almost beyond recognition.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on March 29, 2012

Karene Erdstein 1.7.12
Karene Erdstein

Divider page

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

KAPLAN, *et al.*,)
)
Plaintiffs,)
) Civ. No. 09-646 (RWR)
)
v.)
)
HEZBOLLAH, *et al.*,)
)
Defendants.)

DECLARATION OF PLAINTIFF NETIYA ERDSTEIN

Netiya Erdstein, of Tzfat, Israel, declares pursuant to 28 U.S.C. §1746, as follows:

1. I am an American citizen.
2. I reside in Israel and live in the northern city of Tzfat.
3. My parents are Karene and Brian Erdstein. I have four siblings, three of whom were alive during the 2006 rocket attacks. I was 5 years old.
4. I remember hearing loud explosions during the war and loud army planes. These loud noises scared me.
5. I remember that our home did not have a bomb shelter and it was very scary. We didn't know what to do or where to go. So we huddled together and prayed that the rockets wouldn't land on us. It was a horrific feeling. We were too scared to leave the house and felt like we could be killed any moment. I so scared. Everyone was crying.
6. I remember my mom's face during the bombs. I will not forget it. My mom was so worried and so I was so scared to see her like that.

7. I remember hearing terrible crying from outside and later finding out that the wailing had come from a family member of one of our close neighbors who was injured by a rocket.

8. I remember a girl in my class who was hurt by the rockets and she showed me her injuries. I panicked when I saw them.

9. We had to leave our house and were away for a long time. It was not fun at all. I remember missing my home and I feeling insecure.

10. We moved into a tiny apartment in the city of Raanana. We had to eat meals in shelters for needy people. It was a terrible feeling.

11. I remember feeling a lot of anxiety and embarrassment and being especially startled by loud noises. I was also very worried about my parents who were very sad and stressed.

12. I remember my parents fighting all day. I couldn't express myself. I couldn't bring friends over to play.

13. I would always imagine my family and friends dying.

14. My father was so scared he built a shelter in the house. He always made sure the shelter was carefully stocked with emergency supplies and water and extra doors to put in front of our windows in case there were more rockets.

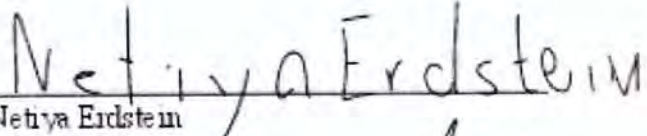
15. My sister Mayan was seriously traumatized by the war. She needed therapy and became very tense. She would jump at loud noises and act very aggressively. It was so very for me. She was physically aggressive towards me and called me names. I could not be home alone with her. Eventually it got so bad she moved out of the house and stopped her contact with our family.

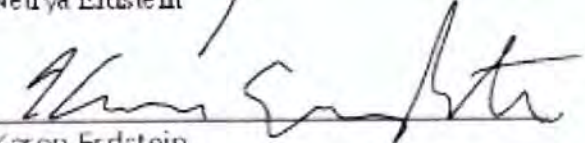
16 My parents and my other siblings continued to feel stress and fear. We changed from a happy to a trauma-struck family with our parents and older sister becoming very different people.

17 Even until today every bomb I hear causes me great fear and butterflies in my stomach. Any time I see blood, even my own, it reminds me of the war and I feel very scared.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on April , 2016


Netiya Erdstein


Karen Erdstein

Divider page

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

KAPLAN, <i>et al.</i> ,)
)
Plaintiffs,)
) Civ. No. 09-646 (RWR))
))
v.)
))
HEZBOLLAH, <i>et al.</i> ,)
))
Defendants.)

DECLARATION OF PLAINTIFF NOA ERDSTEIN

Noa Erdstein, of Tzfat, Israel, declares pursuant to 28 U.S.C. §1746, as follows:

1. I am an American citizen.
2. I reside in Israel and live in the northern city of Tzfat.
3. My parents are Karene and Brian Erdstein. I have four siblings, three of whom were alive during the 2006 rocket attacks. I was 8 years old.
4. I remember hearing loud explosions from rockets overhead and hearing lots of army planes. All of these noises were very scary.
5. I remember that our home did not have a bomb shelter. We didn't know what to do or where to go. So we huddled together and hoped that the rockets wouldn't land on us. It was a terrible feeling. I so scared. Everyone was crying.
6. I remember hearing terrible crying from outside and later finding out that the wailing had come from a family member of one of our close neighbors who was injured by a

rocket

7 I remember having an accident in my bed during that time. My father yelled at me because he was so stressed out and I remember feeling awful about it.

8 I remember my parents told us we were going on a trip, but I didn't understand why my mother told me to take so much clothes and why we had to pack so quickly. This rush to leave and to have to take so many things was very frightening for me.

9 I had a pair of jean sandals with three flowers on them that tore and my mom could not buy me a new pair because of everything happening. I remember having to wear the torn sandals for three weeks.

10 We moved into a tiny apartment. I remember we did not have milk or cottage cheese. We had to eat meals in places that gave food to poor people. I felt like a poor person and was embarrassed to take too much food. I remember getting spaghetti leftovers. It was a terrible feeling. I never felt that way before the rockets. Since then, and until today I have issues with food and with eating, and I am embarrassed to eat in front of people.

11 I remember feeling a lot of anxiety and embarrassment and being especially startled by loud noises. I was also very worried about my parents who were very sad and stressed.

12 My siblings and I were all anxious and overwhelmed and our parents were not themselves.

13 I remember having nowhere to sleep and my back hurting.

14 My parents were fighting a lot. I thought they were going to get a divorce. One day my mother and father had a big fight and I was in shock. My father was leaving to go

back to Tzfat because of this fight and I remember looking at my father's face and thinking that would be the last time I would see him, and then he left

15 When we finally went home, the money issues continued and we were all still very anxious and sad. My father was so scared he built a bomb shelter in our house.

16 My father always made sure the shelter was carefully stocked with emergency supplies and water and extra doors to put in front of our windows in case there were more rockets. I remember he put tons of cans of tuna in there and wouldn't let us touch them.

17 My sister Mayan was seriously traumatized by the war. She needed therapy and became very tense. She would jump at loud noises and act very aggressively. Eventually it got so bad she moved out of the house and stopped her contact with our family, and so I lost my connection with my big sister.

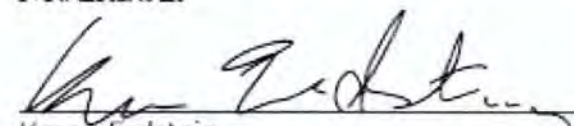
18 My parents and my other siblings continued to feel stress and fear for many years after the war. We changed from a happy, functioning home to a trauma-struck family with our parents and older sister becoming very different people.

19 Even until today I feel tremendous anxiety and freak out when I hear any kind of sirens and I am often afraid to be in small places with a lot of noise. Also until today, I do not have the best connection to my family.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on April 1, 2016


Noa Erdstein


Karen Erdstein

Divider page

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

KAPLAN, *et al.*,

Plaintiffs,

v.

HEZBOLLAH, *et al.*,

Defendants.

Civ. No. 09-646 (RWR)

DECLARATION OF PLAINTIFF MICHAEL FUCHS

Michael Fuchs, of Netanya, Israel, declares pursuant to 28 U.S.C. §1746, as follows:

1. I am an Israeli citizen and was born in Haifa, Israel on November 22, 1957.
2. I am a resident of Israel and live in the northern city of Netanya.
3. My wife, Ronit Fuchs, who is also an Israeli citizen and I met in Israel and we were married on 20.6.1988.
4. I have five children, the youngest of which was 2 years old when I was injured during the 2006 war perpetuated by the Shiite terrorist organization Hezbollah.
5. I am a former school principal who made a career change to business, helping to establish and operate a dish-import company, sourcing the dishes from China. At the time of the 2006 war, I was a co-owner of this business and we had become, in a relatively short period, rather successful with approximately 200 clients.
6. My work required me to travel to many different supermarkets and other retailers to pitch them to sell dishes on behalf of our company. In the morning of July 13, 2006, I was

visiting the northern city of Tzfat to pursue various business leads, and was caught in the first barrage of missile attacks on that city which commenced the hostilities of the 2006 war.

7. In the morning of July 13, 2006, I drove up to Tzfat from my home in Netanya to pitch to supermarket chains for business, despite Ronit telling me that she had a “bad feeling” about the day. Later in the day her prophecy unfortunately would come true.

8. After visiting a number of supermarkets and after hearing reports of Hezbollah missiles being fired on Tzfat, I decided to cut my trip short and just visit one last supermarket on my way home.

9. At around 2:40pm, as I was driving to the last supermarket for the day, I suddenly heard a very loud whistling noise and a massive explosion. I was stunned by the force of the blast and the noise. A katyusha rocket launched by Hezbollah had exploded very close to my car, propelling a fragment of the rocket through my windshield and into my shoulder. I recall that I was driving down an alley and hearing explosions all around me, and then looking down at the dashboard of my car which was splattered with blood. I then remember looking over to my right and seeing my right arm was completely mangled and that where it connected to my body there was a large hole in my shoulder. It was terrifying and I went into shock. I thought I was going to die and would lose consciousness very quickly. I was losing a lot of blood and did not know if I could hold on. Somehow I was able to pull the car over and park in front of a school, before trying in vain to wrap a t-shirt around the wound in my shoulder to stop the bleeding. I then somehow was able to kick open my door and fall out of the car onto the street. I was panicked, in severe agony and my mind was racing. I did not believe I would survive my injuries.

10. Despite it being July and the school in front of me being on holiday, there were thankfully people at the school that were ready to help out. The last thing I remember from the

scene is lying on the ground screaming “my arm!” and “my arm is gone!” before I passed out next to my car.

11. Later, in the hospital, I was told that two men heard me screaming in pain on the ground and responded - one of them called an ambulance to the scene and the other tried to stop the significant flow of blood oozing from the source of the wound - where my arm was still barely connected to my shoulder.

12. The two men who rescued me later told me that an ambulance arrived within 10 minutes of my call for help. When the paramedics arrived they evidently thought that I was dead, since they struggled to find a pulse. I had bled profusely and had lost an alarmingly large volume of blood. In the next few hours I required 22 units (bags) of blood to replenish my blood loss. I was among the first people injured in the first attacks on Tzfat and thus was luckily one of the first of the injured brought to the hospital. Fortunately for me, I had the full attention of all the hospital staff and all of the equipment I needed was available. I remained unconscious upon arriving to the hospital.

13. After the first Hezbollah missile attack hit the north, my son Elya who was watching TV after returning home from school, saw an interrupted broadcast reporting rocket fire on Tzfat. Elya ran to ask my wife where his father was, to which she responded that I was in Tzfat. When told of the news report from my frantic son, my wife began calling my cell phone repeatedly, only to meet a pre-recorded message each time. This was very unusual as I always had my phone switched on, so she contacted the police to find out if they had any information about who had been injured or where I was.

14. I am told that the hospital staff was not able to identify me at first, and I was admitted as "John Doe". The hospital later received a photograph of me from my wife, and was

able to confirm my identity by comparing the wrinkles on my forehead in the photograph to those on the person they had lying unconscious in front of them.

15. Once I had been stabilized and my life was out of immediate danger, I regained consciousness. I recall waking up in the hospital at approximately 2:00am and wondering why I was waking up in a hospital with a numb arm but without any pain. The head doctor later explained to me that the absence of pain at that time was due to the amount of endorphins my body released to numb the pain because of the severity of the trauma to my shoulder. I also remember just being absolutely stunned at how one minute I was just fine and driving along - going about my business in Tzfat - and what seemed like the next minute (it was actually 12 hours later) and I had barely survived a missile attack and was lying grievously wounded in a hospital ward with major injuries.

16. The medical staff at the hospital explained to me that part of the katyusha missile ricocheted off of the ground after impact and blasted through my windshield into my shoulder. The burning missile fragment cut into and detached my deltoid muscle. My arm was literally detached from the shoulder, hanging only by skin and flesh, but was completely limp.

17. During the next few days, I needed to have several surgeries on my shoulder, mainly to remove bone and bomb residue from my shoulder and the surrounding area to avoid infection. The pain I began to experience in the hospital was immense. It was pure agony for many days.

18. Aside from focusing on my own fight to heal, there was another threat to worry about. The hospital in Tzfat was poorly protected from ongoing missile attacks and its population was thus vulnerable to further injury or worse. Over the days following my admission, the hospital was constantly under fire, which was especially dangerous considering

the large amounts of flammable gas that was carried in pipes throughout the hospital for various uses.

19. After spending a week in the hospital in Tzfat, it was determined that my medical situation was still very serious. I was moved (under another barrage of missile fire) to a hospital in Tel Aviv, for four further surgeries.

20. When I arrived at the Tel Aviv hospital, the medical staff there wanted to amputate my arm for fear that my arm would "die" (i.e., it would not be able to sustain blood flow to all of its extremities and its cells would break down) and the ensuing disease would spread to my vital organs including my heart. I have never been so scared or depressed in my life as I was when I heard this report. Despite these warnings, I refused the option of amputation. I did not know how I would live or function without two arms.

21. For the first month after the attack, I only on very few occasions climbed out of my hospital bed. I didn't leave my bed for the entire first week of my hospitalization and only gradually began moving slowly over the course of the next few weeks. It was a slow and very painful recovery. Each stage and each level was a struggle.

22. I recall feeling like I had been reborn - both in terms of the gratitude I felt in experiencing the miracle of still being alive after coming so close to death, and also in feeling baby-like in having to depend on others to be dressed, fed and re-learn learn how to walk and talk. The damage to my body was so severe that it took many months for me to slowly recover. I found this reliance on others to be especially frustrating, as I had always been in a position of control my whole life – as a principal of a successful business and otherwise – and now I needed to be assisted by others on a daily basis regarding even my most personal care needs.

23. And I was still extremely vulnerable to infection and other dangers. During my recovery at the hospital, one day my body shut down and I almost died, as a result of the hospital staff failing to turn me over enough during my sleep to ensure a healthy blood flow to all of my vital organs. I lived with the fear of death each and every day during this period. I was never sure when I went to sleep if I would awake the next day.

24. My first three months after the attack were spent in the hospital or full-time at a rehabilitation center before I was well enough to move back home and make use of out-patient rehabilitation services. This was a very difficult and challenging time for me. I was determined to get better but each day was a difficult struggle. Eventually, I was told I could return to my home. After I was discharged from the hospital, I went to Israel's most prestigious rehabilitation center for my type of injury for an entire year, and I continue to this day to visit a rehabilitation center in Netanya twice a week for hydrotherapy. My rehabilitation has been filled with numerous challenges and setbacks - the first setback I had was just after being discharged from the hospital, when I needed to receive two daily intravenous drip bags of antibiotics to fight an infection and numb my pain. My entire life became centred around trying to recover from my injuries. It was a long uphill climb with many difficult and painful obstacles to overcome.

25. Today, some six years after sustaining my injuries, I have roughly only 10% of the pre-injury movement in my right hand, and I have been declared a clinical amputee. I required extensive and very painful rehabilitation just to revive that 10% movement.

26. My disability has caused me significant functional problems, as I was right handed and my injury has made what used to be simple tasks very challenging, including taking care of my daily needs such as showering and dressing. Furthermore, after losing most the functionality in my right hand, I began relying on my left hand exclusively, which resulted in

overuse and has caused infections and other problems in my left hand due to increased pressure and blood flow due to overuse. My left hand has now been deemed to be partially disabled by my doctors as well.

27. The attack and my severe injuries also impacted me psychologically. Since the attack I have become angry and agitated very easily, which was not part of my personality prior the attacks. I frequently feel frustrated and am not patient with my family or others. I feel stressful and troubled. I also have trouble sleeping and rarely am able to get to bed before 2:00 am. When I do manage to sleep, I am woken regularly by vivid nightmares. I also on various occasions have fallen into serious bouts of depression and have needed the care of a specialist psychologist to help extricate me from these down times. The rocket attack and my injuries have changed my entire life in a very unfortunate way. I am simply no longer the same easy going and happy person. I focus constantly on my injuries and my health problems. I have lost much of the joy of life I once knew. I experience pain from my injuries everyday.

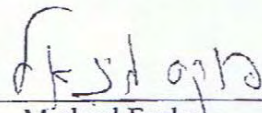
28. While the Israeli Government initially paid for all of my medical bills and rehabilitation costs, for the past two years my National Insurance payments have been cut. The unfortunate truth is that I cannot commit to a full time job, mainly because I at regular intervals require heavy medication and often have unexpected bouts of shooting pain in my arm which is debilitating. I do try to be useful to my community - I volunteer to work with autistic children and give lectures to the elderly - but I cannot commit to a regular job schedule since I have no idea how my condition may escalate or otherwise impair me at any time.

29. Finally, it is frustrating that even when I was receiving governmental payments, I was in the process of building a successful business that already had some 200 clients and which was growing quickly, and I assume that had I not been injured and disabled the business would

have grown and my income further increased. I attribute this lost business opportunity and corresponding lost income to be another unfortunate consequence of my injuries. Each day I wake up and continue to try and rebuild myself and my life back to where I was before the missile attack.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on January 31, 2012



Michael Fuchs

Divider page

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

KAPLAN, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	
)	
HEZBOLLAH, <i>et al.</i> ,)	
)	
Defendants.)	

Civ. No. 09-646 (RWR)

DECLARATION OF PLAINTIFF MOREEN GREENBERG

Moreen Ellen Greenberg of Tzfat, Israel, declares pursuant to 28 U.S.C. §1746, as follows:

1. I am an American citizen and currently reside in Tzfat, Israel with my husband Theodore Irwin Greenberg. I was born in Detroit, Michigan on December 15, 1947.
2. I am an artist by trade and create murals and illustrations.
3. On July 13, 2006, on the morning of the Second Lebanon War, I was visiting friends in the nearby city of Chazor. It was there that I received news that a katyusha rocket had been fired from Lebanon and had landed in Tzfat. I was shocked since I never expected katyusha rockets to land in Tzfat. I was especially anxious and nervous since my husband, Ted, was at work at his internet café in Tzfat and I did not know whether or not he was safe.
4. I immediately called Ted to find out where he was. I tried to convince him to close the shop and come home so that he could find safety during the bombing in a bomb shelter. I then took a taxi back to Tzfat and, once there, sought out shelter at a bomb shelter downstairs from our apartment.

5. I stayed in the bomb shelter all morning with other residents of our building. It was a tense situation since we didn't know what was happening. It was touching to see how everyone came together during this time of crisis to keep everyone calm in the bomb shelter, especially the crying and scared children. I brought provisions with me such as a radio and some food.

6. Later that day, thinking that things had quieted down and it was safe to exit the bomb shelter, I returned to my apartment. At around 2 p.m. that afternoon, another katyusha rocket landed in Tzfat. I felt my entire apartment shake as the rocket hit the ground and I saw a flash of grey before my eyes. I was very frightened and raced in fear to the bomb shelter once again.

7. After this second attack Ted returned home to be with me. This was comforting to me since I had been constantly worried and anxious about him while he was at his work. I understood that he remained there solely to assist the tourists that were stranded at the internet café during the rocket attacks.

8. Though we wanted to stay as close as possible to our apartment, the bomb shelter in our building was overly crowded with residents. Instead, we decided to pack up all of our essential belongings and stay in the basement of the internet café. We hoped that we would be safe in the basement that would double as a bomb shelter.

9. As a result of the War, my husband's internet café went out of business practically over-night. It relied upon tourists and residents to keep it going, and both were nonexistent as the war continued on. We transformed it into an aid center where we gave people shelter and enabled them to use our computers to check the news and update family and friends of their status.

10. After about three weeks without any business in the internet café, my husband realized that he needed to find alternative employment. Despite the rocket attacks, bills and expenses still needed to be paid and we needed money to live on.

11. My husband found a telecommunications job in Jerusalem. Since the commute from Tzfat to Jerusalem was too long to do on a daily basis, my husband had to rent an apartment in Jerusalem. We would be separated the entire week and would only see each other when he returned to Tzfat on Friday for the Sabbath. Not only were we incurring an additional rent expense, which amounted to approximately NIS 6,500 (\$1,500) but we were now incurring his travel expenses as well.

12. This period of separation which was caused by the War was very stressful for me. I was alone. I was constantly nervous and anxious not only for myself but also for my husband. My husband and I spoke on a daily basis while he was employed in Jerusalem. He, too, was by himself all week and also felt very lonely. I felt his tension at not being able to be in Tzfat to protect me and this placed a huge emotional strain on our marriage. His emotions as a husband were conflicted between needing to provide for us as a family and being home in Tzfat with me during this very difficult period.

13. I had to keep myself from falling apart while he was not with me. I stayed indoors. I tried to keep calm. Time felt like it passed exceedingly slow and I tried to make it go by quicker by helping others and by painting. However, I was under so much stress that I found that I was unable to paint myself or engage in other work.

14. However, I did have to venture outdoors to get food at the only open supermarket which was located across town. This was extremely challenging because I would have to work myself up psychologically for this task. Before I would leave my home, I would map out the

route in my head and make sure that there would be shelters along the way which I could run into if the rocket sirens went off.

15. I also had trouble looking at the color red. We had a bookcase that was the color red and I could not look at it. It was too strong of a color and it reminded me of blood. It caused me anxiety and fear. The name of the siren that signalled incoming katyusha rockets was called Code Red.

16. At night I slept fully dressed in clothes. I did not want to be caught off guard if the rockets started falling in the middle of the night. I needed to be ready to run for my life at a moment's notice. I was scared and felt vulnerable and I was all alone without my husband as the rockets continued to fall all around me. It was a period of constant anxiety and the feeling of uneasiness pervaded everything I did and everywhere I went. What kept me going was the fact that I hoped the War would end soon.

17. The War did end; but not its effects on me. For many months following the rocket attacks I was still scared, anxious and stressed out. My husband had no internet café business to return to in Tzfat and therefore kept his job in Jerusalem. The financial loss during the war was not something that the business could recover from. The tourists were still scared of rocket fire and did not return right away and then the tourist season ended for the year. As a result of the war my husband's business suffered a \$2,500-\$3,000 loss.

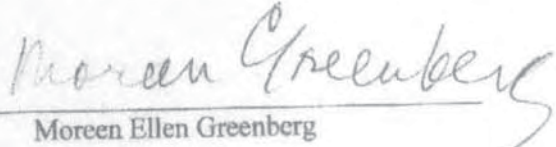
18. When I would visit my husband in Jerusalem I discovered that I had become afraid of the larger city. I was constantly afraid that a bomb would go off and kill either me or my husband. I felt vulnerable and anxious.

19. I still have difficulty talking about what I experienced. When I begin speaking about it I relive what happened to us and experience it all over again. I have to suppress my tears

and feelings and compose myself just to be able to describe what happened. It has changed my life forever.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on March 24, 2012


Moreen Ellen Greenberg

Divider page

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

KAPLAN, <i>et al.</i> ,)	
)	
Plaintiffs,)	Civ. No. 09-646 (RWR)
)	
v.)	
)	
HEZBOLLAH, <i>et al.</i> ,)	
)	
Defendants.)	

DECLARATION OF PLAINTIFF THEODORE GREENBERG

Theodore Irwin Greenberg of Tzfat, Israel, declares pursuant to 28 U.S.C. §1746, as follows:

1. I am an American citizen and I currently reside in Tzfat, Israel. I was born in Los Angeles, California on June 19, 1951.
2. I live with my wife, Moreen Ellen Greenberg. I am a retired medical scientist and currently teach English.
3. At the start of the Second Lebanon War in July, 2006, my wife and I lived in Tzfat and I was the owner of an internet café, also in Tzfat, which I had opened up in 2002.
4. On the morning of July 13, 2006, when the first katyusha rocket fell on Tzfat, I was working in the internet café. Right away when I heard the whistling of the katyusha rocket I knew that we were under attack. The rocket had landed about 300 feet from my house and about 900 feet from my business. My first concerns were to take care of my customers and make sure that they were okay and also to find out where Moreen was since she was visiting friends in a nearby city that morning.

5. I was able to contact Moreen and my foremost fears for her were allayed when she told me she was safe in the bomb shelter of our apartment building. I tended to the stranded tourists that sought shelter in my internet café and by afternoon made it back to my home to be with my wife.

6. Along the way home I witnessed the medical evacuation of a man who sustained a direct katyusha hit. Even though I am a medic and have been trained to view emergency scenes such as this one in a medically professional manner, what I saw still haunts my memory to this day. The image of that grievously injured victim returns to me frequently and causes me a feeling of anxiousness.

7. Moreen and I decided that since our building bomb shelter was too crowded with other scared and anxious residents, many of whom were children, we would stay in the basement of the internet café. We hoped that this would provide us with a measure of protection from any additional katyusha rockets.

8. During the duration of the rocket attacks, my wife and I lived in the basement of my internet café business for three weeks. Typically, my business serviced residents of Tzfat and vacationing tourists. On average, my annual income from the business ranged from \$15,000-\$20,000.

9. Throughout the rocket attacks, Tzfat became a ghost town. Residents who were able to flee for a safer place outside Tzfat did so. The tourists, understandably, also disappeared. Since no one was around I had no business coming into my café. This was the direct cause of my business' failure during the period of the rocket attacks and beyond. During the period of the rocket attacks, we used the café as an aid center and gave shelter and computer access to anyone that needed it.

10. This period was very stressful and anxiety provoking for me. My outlook on life changed. I went from being unafraid to feeling very vulnerable. I realized that in the blink of an eye my entire life could be changed. Even though I had been on active duty in the United States Navy for four years, I was not prepared for living under the stress of this period of rocket attacks. As a result of the daily pressure I even resumed smoking again, a habit I had given up years earlier.

11. I realized that we could not go on financially without the income from the internet café. I was required to find a job that would enable me to pay the ongoing bills and expenses that were accumulating.

12. The telecommunications job I found was based in Jerusalem. Unable to commute back and forth to Tzfat on a daily basis, I needed to rent an apartment and stay in Jerusalem on weekdays. I would return home to Tzfat to be with Moreen on Fridays for the Sabbath. Over the course of the rocket attacks. I paid approximately NIS 6,500 shekel (\$1,500) for rent on my Jerusalem apartment. I also incurred additional transportation expenses travelling back and forth to Tzfat to be with Moreen.

13. This upheaval in my life was very stressful to me. Initially it was just the physical relocation from our home in Tzfat to the basement of the internet café. But it did not stop with that. The relocation to Jerusalem was the next stage with its added emotional layers since I was separated from Moreen.

14. I worried about Moreen constantly but understood that I needed to bring in an income. As the katyusha rockets continued to be fired from Lebanon, life and its accompanying bills didn't stop coming either. The bills needed to be paid one way or another. The marital strain we felt was like nothing we had experienced before. In particular, my role as a husband was

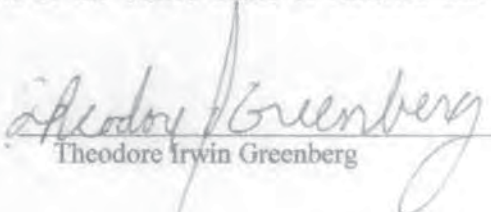
conflicted. No matter which choice I made, stay in Tzfat with Moreen and not have any income, or, generate income in Jerusalem and leave Moreen alone in harm's way, I felt that I had failed my wife. It was, and continues to be, extremely stressful and anxiety causing.

15. The rocket attacks eventually ended but life did not return to normal in Tzfat in time to revive my internet café business. We tried to jump start it again while I was still working in Jerusalem. Moreen assumed the business leadership, but unfortunately, it never got off the ground again. During the rocket attacks I suffered a business loss of about \$2,500-\$3,000.

16. The Second Lebanon War and the Hezbollah attacks have left me in a constant state of worry about the next period of rocket terrorism. The upheaval in my life has never gone away and I have never returned to how I was before the rocket attacks. Everyday, I question why I am living in the eye of the storm and consider relocating. I am, however, grateful that both Moreen and I made it through our experience alive and intact.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on March 23, 2012


Theodore Irwin Greenberg

Divider page

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

KAPLAN, *et al.*,

Plaintiffs,

v.

HEZBOLLAH, *et al.*,

Defendants.

Civ. No. 09-646 (RWR)

DECLARATION OF PLAINTIFF RABBI CHAIM KAPLAN

Rabbi Chaim Kaplan, of Tzfat, Israel, declares pursuant to 28 U.S.C. §1746, as follows:

1. I am an American citizen and was born in Tzfat, on October 28, 1974.
2. I am a resident of Israel and live in the northern city of Tzfat.
3. I am the Rabbi of a community synagogue in Tzfat.
4. My wife, Rivka Kaplan, who is also an American citizen, and I met in

Tzfat and we were married on November 19, 1998.

5. We are the parents of eight children: Mushka, aged 12, Reuven Arye, aged 11, Menachem Mendel, aged 9, Chana, aged 8, Efraim Benyamin, aged 5, Shaina, aged 4, Yechezkel Yehuda, aged 2, and Devora Leah, aged 4 months. The oldest five of our children were alive at the time of the war launched by Hezbollah against Israel in the summer of 2006.

6. In the summer of 2006, I was running a sleep-away camp for approximately 200 boys from abroad who were staying at our campus on the outskirts of Tzfat.

windows of the car had shattered, and I felt a hard impact to the left side of my head. All of a sudden I noticed blood pouring from head onto my face and hands. I was very scared and did not know how badly I was hurt. I did not want to move but I was worried that I needed to seek emergency medical attention. I did not want to wait for an ambulance because I did not know how long it might take and I was seriously bleeding from my head. I am not sure how I did it, but I managed to drive myself a little distance until I could proceed no longer as I had trouble seeing. I was able to stop the car and get out myself. A passing car full of people fleeing the city saw me standing there covered in blood. They stopped, picked me up and took me straight to the emergency room at the hospital. I was able to call my wife briefly to tell her I was headed to the hospital.

13. For the next two hours the doctors at the hospital meticulously picked out glass and metal fragments from my eye. They also bandaged cuts to my face and hands. I also had trouble hearing out of my left ear, as the missile exploded right next to the driver side of my car. I was very afraid that my eyes and ears were seriously damaged. I was in shock and very worried about the safety of my family. The rocket attacks were continuing and I was scared that no one was going to be there with them and ensure their well being. I was also concerned that when I did not arrive home as expected the children would panic and worry that I had been killed.

14. I was discharged early the next morning, at approximately 1:00 am, to make room for the large number of other wounded who had arrived at the hospital. The rocket attacks were killing and injuring many people and every hospital bed was needed.

15. When I arrived home I informed my wife that we needed to leave Tzfat right away. With so many rockets landing on the city I was praying that we would

becomes extremely agitated if others are uncooperative in his safety preparation exercises.

20. Menachem Mendel, aged 4 at the time of the attacks in 2006, has nightmares and trouble sleeping. Taking cues from his older siblings, he is clingy and introverted. He seemed especially shaken when I returned home from the hospital bandaged and bloodied, and is constantly anxious about my well-being.

21. Chana, 2 at the time of the war, also wakes from sleep in a panic. While she did not understand what was happening at the time, the effects on her have nonetheless been significant. It took Chana longer to become toilet trained than the other children. Additionally, her home environment has totally changed, and she is worse because of it. My and my wife's emotional traumas have impacted the tone of the home – a change Chana may not recognize, but significantly impacts her nonetheless.

22. Although just a baby at the time, Efraim Benyamin has been affected. The impact of the war on the family has played a pivotal role in his development: his siblings and parents have been changed for the worse, and the home is now one of anxiety and trauma on a bad day, and a home focused on healing on a good day.

23. Since the day of the rocket attack, I have suffered from lingering injuries and trauma. For one thing, I lost a significant part of my hearing in my left ear. I am also plagued by an intense and persistent itching in this ear, which neither medication nor therapy has been able to alleviate. It is a constant, nagging problem. I also am constantly hearing echoes out of my left ear - background noises are amplified and reverberate, and interfere with my ability to clearly hear people speaking and other important sounds. I also cannot enjoy moments of tranquillity and quiet, as even "white" noise causes annoying reverberations in my ear.

24. My injuries have significantly impacted my ability to perform my duties as a community Rabbi. Being a community leader, I am often on the phone with congregants and the hearing damage I sustained as a result of the missile attack has made it harder for me to communicate by telephone. I also struggle with public speaking (I do not realize that I speak much louder than is required) and have trouble hearing questions from the audience. The doctors have informed me that I would need an operation to try and improve my hearing and other symptoms, but as no result is guaranteed I am apprehensive to undergo such a serious procedure.

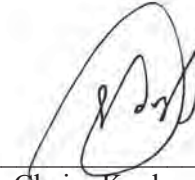
25. The attacks we suffered also has caused my family and I lingering psychological trauma. I still get tense and startled anytime I hear planes fly over us, thinking that there must be some escalation of tensions and that another war is imminent. Similarly, when I hear news reports about the hostilities in the South of Israel (like when missiles are being shot at Israeli cities from Gaza), these events cause all of us to re-live our experiences of being human targets of Hezbollah. These feelings of trauma require me to calm myself down before I can continue on with my regular routine.

26. As detailed above, my children have been similarly traumatized from the attacks. They had trouble sleeping for a long time, and still don't like to be alone even at home. They were very jumpy, especially from any kind of loud noise, for about a year after the war, and still become easily startled and anxious at small things. These several years since the missile attacks in 2006 have only partially managed to

alleviate the difficult emotional feelings we all maintain. It is something
my family carries with us every day.

I declare under the penalty of perjury of the United States of America that the
foregoing is true and correct.

Executed on March 26, 2012

A handwritten signature in black ink, appearing to be "Chaim Kaplan", is written over a horizontal line.

Chaim Kaplan

Divider page

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

KAPLAN, *et al.*,

Plaintiffs,

v.

HEZBOLLAH, *et al.*,

Defendants.

Civ. No. 09-646 (RWR)

SUPPLEMENTAL DECLARATION OF PLAINTIFF RABBI CHAIM KAPLAN

Rabbi Chaim Kaplan, of Tzfat, Israel supplements his original declaration pursuant to 28 U.S.C. §1746, as follows:

1. I am an American citizen. I was born in Tzfat, Israel on October 28, 1974.
2. I am a resident of Israel and live in the northern city of Tzfat.
3. I am the Community Rabbi for a synagogue in Tzfat.
4. My wife, Rivka Kaplan, is also an American citizen. We are the parents of eight children, five of whom were born prior to the Hezbollah rocket attacks of 2006.
5. In the evening of July 13, 2006, at approximately 8:00 P.M., as I was driving to my home in Tzfat, I was severely injured by a Hezbollah katsuya rocket which fell right next to the driver's side of my car. The details of this attack are provided in my original declaration, as well as Dr. Friedman's report, which are incorporated herein by reference.
6. As a result of the physical and emotional injuries that I have sustained from the Hezbollah terror attack on July 13, 2006, my ability to perform my duties as a Community Rabbi have been halted almost completely.

7. In order to calculate the extent of my economic losses, I have attached Exhibit 1-3 to this Supplemental Declaration.
8. Exhibit 1 is an income statement for the month of June of the year 2006. I earned 8,500 New Israeli Shekel (“NIS”) during June 2006. This was roughly one month before the Hezbollah rocket attack that incapacitated me.
9. The June 2006 income statement is reflective of the monthly income that I was earning prior to the Hezbollah terror attack.
10. Exhibit 2 is a ‘106 Form’—the Israeli equivalent of an IRS Tax-Return Form. Exhibit 2 shows my income for all of 2007. As a result of the injuries I suffered from the Hezbollah terror attack of 2006, I only made 466 NIS during all of 2007.
11. Exhibit 3 is also a ‘106 Form.’ Exhibit 3 shows my income for all of 2013. As a result of the injuries I suffered from the Hezbollah terror attack of 2006, I only earned 2590 nis in all of 2013.
12. The 106 forms for 2007 and 2013 are indicative of my earnings since the war. I have had to rely completely on family and community to live to date.
13. Prior to the July 13, 2006 Hezbollah terror attack, I was living a very comfortable life and had a very prestigious position within my community.
14. Prior to the Hezbollah terror attack, I was making an estimated monthly income of 8,500 NIS a month. After the terror attack, as evidenced by Exhibit 2 and Exhibit 3, I have earned practically nothing each year.
15. Because of the physical and emotional disabilities I suffered as a result of the Hezbollah terror attack, I went from making an estimated 100,000 NIS a year before the attack of July 13, 2006, to a maximum of 2,500 NIS a year after that date.

16. As a result of the Hezbollah terror attack of July 13, 2006, I was permanently incapacitated, and therefore suffered a drop-off in estimated yearly income of 97,500 NIS.
17. Using today's conversion rate (July 27, 2015), 97,500 NIS equals USD \$25,597.27 times the nine years to date = USD \$230,375.43.
18. I expect this incapacity will be permanent, as we are now 9 years out and I still cannot earn an income. These damages, therefore, would continue until I turn 66 (retirement age in Israel), or another 25 years, for a total damage of USD \$639,931.
19. This number does not include any increases, raises or bonuses, which I surely would have received. I believe, therefore, that it is the equivalent of a "today's dollars" calculation.

I declare under the penalty of perjury of the United States of America that the foregoing is true and correct.

Executed on September 30, 2015



Chaim Kaplan

EXHIBIT 1

נציבות מס ההכנסה-הוצאות
אגף הכספים
ת.ד 1170
ירושלים 91010
מס' תיק ניכויים: 943006064

לכבוד
קפלן חיים
גבעת שושנה 20
צפת
מספר פקס:

הודעה למוטב מספר: 06-44-011775 (זיכוי בנק)

תאריך פרעון: 05/09/06

מספר חשבון: 15 31960347 00

מספר	מספר	מספר אסמכתא / תאריך	סכום	פרטים
מספר	מספר	מספר אסמכתא / תאריך	סכום	פרטים
06 015375	408001	14/07/06	8,500.00	מבנה

סך חשבון: 8,500.00

נטו לתשלום: 8,500.00

חשבון זוכה ב בנק הפועלים בע"מ

רח ירושלים 72 ת ד 141
סמל בנק: 12-714
חשבון מספר: 611646
צפת

התשלום בוצע באמצעות זיכוי בנק
לבירורים: משתמש אוטומטי , טלפון:

EXHIBIT 2

בתשובת : אלנקוזה

מכוננים מעבירים מחצית מנת חמץ		בתוני מה"כ ובי"ל		זיכויים ופטורים לה.ז.		חשבונות מוטבים		נתונים נוספים	
חלומים	60271.00	מכ.ב.לאומי	60271.00	1	מכ.ב.לאומי	10000.00	סניף/בנק	00/000	נק.רגילות
מורי למס				1	אישור בי"ל		מספר חשבון		נק.נוספות
מס הכנסה	7112.13	נרד נקודות	2803.50		ערך נקודות	400.50			מס סולי
מסות לאומי	2172.31	זיכוי טעום		לא	זיכוי טעום				ק.מחזור
מס בריאות	2424.36	זיכוי טעם	655.31	00	זיכוי טעם	68.75			חופש קודם
מבטחים בעמ	2621.20	ישובי ספר		00	ישובי ספר		מבטחים בעמ		הוטפת חופש
		חנ.מסחרות		25.0	חנ.מסחרות				ניצול חופש
				8.00					יתרת חופש
		פטור נוסף		25	פטור נוסף				
		ניכוי 470		לא	ניכוי 470				

מחשף-גבולות שירותי נע"מ
ת.פ. 541828550

EXHIBIT 3

114

טופס 106		שנת המס 2013		מס' עובד 318	
אישור עפ"י תקנות מס הכנסה					
ניכוי ממשכורת בשנת מס (1) ←					
מ. משפחתי		מס' זהות בן הזוג		ילדים	
נשוי		209578681		8	
שוי/זקיפה		מס שולי		תאריך לידה	
10		28/10/1974		01/10/2013	
שם העובד		מס' זהות		שם המחלקה	
קפלן חיים		31960347		עובדי הוראה	
קפלן חיים		הרב קפלן 20/2		פרוט חודשי העבודה בשנת המס	
עיר צפת		מיקוד		2013	
מחלקה		מס' חודשי		סמל (יח')	
		3		ימי עבודה	
		v v v		דצמ'	
				מאי	
				יוני	
				יולי	
				אוג'	
				ספט'	
				אוק'	
				נוב'	
				דצמ'	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	
				מס' חודשי	
				סמל (יח')	
				ימי עבודה	
				3	

Divider page

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

KAPLAN, *et al.*,

Plaintiffs,

v.

HEZBOLLAH, *et al.*,

Defendants.

Civ. No. 09-646 (RWR)

DECLARATION OF PLAINTIFF RIVKA KAPLAN

Rivka Kaplan, of Tzfat, Israel, declares pursuant to 28 U.S.C. §1746, as follows:

1. I am an American citizen and was born in Morristown, New Jersey on April 3, 1976.

2. I am a resident of Israel and live in the northern city of Tzfat.

3. My husband, Rabbi Chaim Kaplan, who is also an American citizen and I met in Tzfat. We were married on November 19, 1998.

4. We are the parents of eight children: Mushka, aged 12 years old, Reuven Arye, aged 11, Menachem Mendel, aged 9, Chana, aged 8, Efraim Benjamin, aged 5, Shaina, aged 4, Yechezkel Yehuda, aged 2, and Devora Leah, aged 4 months. The oldest five of our children had been born prior to the missile attacks which were launched by the Hezbollah terrorist organization against Israel in the summer of 2006.

5. On July 12, 2006, Hezbollah carried out a brutal terrorist attack along the Lebanese border that left several Israeli soldiers dead and injured. On July 13, 2006, what would later be known as the opening day of the rocket attacks, I was home with our five children (our youngest three children had not yet been born). Although

everyone was concerned that the provocations by Hezbollah could escalate, no one expected that a full-scale war would break out at that time. That morning we heard news reports that Hezbollah had begun to launch missiles towards civilian cities and towns in Northern Israel. When the missiles started hitting Tzfat, I at first thought that the explosions were the sounds of Israeli jets breaking the sound barrier (these noises are not uncommon to residents of Northern Israel). But as the noises became louder and more frequent, I became concerned that they might be something more sinister, and I walked out of the kitchen where I had been preparing lunch and quickly gathered my children. I took everyone into our home's reinforced security room. Every Israeli home built after the 1991 Gulf War is required to contain a dedicated reinforced room that serves as a bomb shelter, as mandated by law. We did not hear any sirens or warning signals sound.

6. We entered our reinforced room just in time. Just as all of us were inside the room we were suddenly shaken by an extremely loud noise and explosion. It was so loud and violent that all of us went into a stunned state of shock. A Hezbollah missile had exploded right next to our home, and burning shrapnel came whizzing through the kitchen window where I had stood preparing dinner just moments before. Fragments of shrapnel penetrated the wall over the couch, on which my son had just been reading. We were all in sheer terror and did not know what to do. I was certain that a missile had hit our home but, locked in the shelter, I had no idea of what damage had occurred. We did not know whether to open the door and leave the building or stay locked inside.

7. The children especially were very scared and screaming hysterically. I tried staying composed because I knew my kids were watching me, but it was not easy as I felt panic overwhelming me. We all felt afraid for our lives and I envisioned

the ceilings and walls collapsing on us. I feared what destruction awaited on the other side of the door.

8. Smoke began to creep into our home from the explosion just outside, and various objects in our home had fallen to the floor and shattered. The air had a terrible smell of burning chemicals and smoke. I was very concerned that a fire was raging and afraid that we could die from smoke inhalation if we stayed locked in the room.

9. I immediately tried to call my husband Chaim, who was out running a children's summer camp. I wanted to make sure that he was alright and tell him that our home had been hit by a missile. I wanted him to come home to be with me and the children. When we spoke on the phone I told him about how the missile had hit the house and about how shaken up we were. He could hear the children crying and screaming and he understood we were all terrified. I was told not to touch anything in the house because it could be covered with chemicals from the missile or flammable materials. The police and emergency workers quickly arrived and I swiftly moved my children outside to get to my mother-in-law's house (which is situated just across the street).

10. Chaim came rushing home and he surveyed all the damage to our house. He was very upset and tried to calm down the children. We stayed at my mother-in-law's home for the rest of the afternoon. As the children's bedtime neared, Chaim and I decided that it would be best to go home for the night. We did not expect another missile attack and believed that the worst was behind us.

11. After moving the children back to our home, Chaim decided to drive into town to pick up some forms from a governmental office that was still open, so that the property assessor who was scheduled to visit the next day would have what he

needed to process our claim. We were told to try and meet with them as quickly as possible.

12. As I put the children to bed, I tried to calm them by telling them that there was nothing to worry about and that there were not going to be any more loud noises - that we were safe and that everything was going to be alright. I hoped Chaim would return home very quickly because I was still very shaken up from the afternoon's missile explosion.

13. My stomach turned when, within a minute of saying these words, I heard the sound of new missiles exploding nearby. I rushed the kids back into a reinforced room and we tensely waited and listened to Tzfat withstanding a prolonged bombardment. We heard explosion after near-by explosion and were horrified that the missiles would reach us again. I was also terrified that Chaim would get caught up in the attacks while he was out in the street. I had no idea where the rockets were falling or where exactly my husband was.

14. A few minutes later I received a call from Chaim. He told me that he had almost been directly hit by a missile near his car and that he had been injured. He told me that he was going to be taken to the hospital. Before I could respond with questions the line went dead. I was very scared and nervous. Chaim sounded terrible. He had tried to reassure but when he said he was going to the hospital I understood he was seriously injured.

15. This obviously sent me into a panic. I had no way to reach him and I was scared about his condition and horrified that more missiles were being launched. I tried to calm the kids in vain. They sensed that something had happened and keep demanding that their father come home to be with us. During a lull in the missile strikes and explosions, I darted out from the reinforced room quickly to gather a few

provisions so that we could spend the night there more comfortably. I was very nervous about Chaim and felt that I had better get to the hospital to determine if he was alright. My sister-in-law had joined us in the bomb shelter, and I had her watch the kids once they fell asleep so that I could go locate Chaim in the hospital. I left my home with my five children asleep in a bomb shelter as I went out in the midst of the missile attacks to search for my injured husband.

16. When I arrived at the hospital I managed to find Chaim in the emergency ward. His left eye and other parts of his head were heavily bandaged. I was shocked to see him this way and I was concerned about his eye and head. The emergency ward, like emergency wards all over Israel were filling up with people injured from the missile barrages and there was a great deal of noise, sirens and confusion as the wounded were being brought there by ambulance and on stretchers. The hospital staff was trying heroically to treat the most serious cases and to free up beds and equipment for the incoming wounded. I stayed with Chaim until he was discharged early the next morning and we went home together.

17. We realized that the missile attacks were not going to be an isolated incident, and the following day we made plans to leave our home until the missile barrages stopped. We had no idea that it would be six long weeks until we were able to return to our home. We stayed with friends during this period. It was a time of great confusion and uncertainty. We did not know from day to day what would happen or when we would ever get home. My husband and I were very concerned for the children. We were fearful of what was happening to our apartment and our property. We were also frightened of how our community and neighbours were surviving the missile attacks.

18. When the missile attacks came to an end we immediately returned home to try and rebuild our house and our lives. Since the war ended, my family and I have struggled in various ways to cope with the traumatic events we experienced at the hands of Hezbollah. Our children suffered significant and prolonged psychological trauma as a result of coming under the missile attacks.

19. My husband's head and eye took a very long time to heal. He also suffered very serious hearing loss as a result of the missile attack that evening. He has trouble hearing and speaking. The injury to his ears greatly effects his ability to speak publicly, to teach and to work. It has created all sorts of difficulties and problems for him both professionally and in his private life. I know that he is frequently troubled by noises and ringing in his ear and he suffers terribly and complains frequently about it. His constantly senses an itch inside hi ear. He has been to many doctors for treatment but nothing seems to improve his condition. His doctors have recommended surgery to attempt to alleviate some of his impairment but he is afraid to undergo the operation for fear the injury could worsen.

20. My children had trouble sleeping for a long time, and when we finally returned to our home, for many months afterwards they did not want to be alone in a room by themselves. In fact, they still don't like to be alone, even at home. For a long time, any kind of loud noise would trigger memories of the falling missiles and create much anxiety for them. We tried to reassure them but the children were very nervous and worried.

21. I still get tense thinking about the war and how vulnerable we still are. Not much has changed since the 2006 missile attacks as far as our ability to defend against incoming rockets, and we know that it is only likely a matter of time before Hezbollah will rear its evil head and again decide to attack us. It is very scary to think

that we could again be subjected to the terror we experienced during the 2006 war, but we are staying here because this is our home and where our kids go to school and have friends. Giving up means that Hezbollah has achieved its goals.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on January 31, 2012


Rivka Kaplan

Divider page

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

KAPLAN, *et al.*,

Plaintiffs,

v.

HEZBOLLAH, *et al.*,

Defendants.

Civ. No. 09-646 (RWR)

DECLARATION OF CHAYA KASZEMACHER

Chaya Alkareif, premarital name Kaszemacher, of Bnei Brak, Israel, declares pursuant to 28 U.S.C. §1746, as follows:

1. I am an American citizen and was born in Tzfat, Israel on February 13, 1990.
2. I am a resident of Israel and currently reside in Bnei Brak, Israel.
3. I am married and am the mother of one daughter, Shira, born February 23, 2011.
4. I am a customer service representative at a call center for Isracard, an Israeli credit card company.
5. At the time of the Second Lebanon War in July, 2006, I was sixteen years old and living with my mother and father in Tzfat, a city in northern Israel. My married older brothers and sisters also lived in Tzfat, not too far from our home.

6. When the first katyusha rocket from Lebanon fell on Tzfat on July 13, 2006, I was at home waiting for camp to start since it was summer vacation. I heard the loud boom but didn't fully understand the reality of what was happening. I realized that this was the possible start of a war, but I was a typical sixteen year old pre-occupied with regular teenage concerns of going out with friends and shopping for new clothes.

7. During the lull between the first and second rockets that fell, my mother asked me to bring some milk and bread to my sister who lived close by. She needed the groceries for her children so I decided to take a friend along.

8. Before we left, my mother instructed us that if we heard a siren, which meant that a rocket was incoming, we should find a place to hide, make ourselves as small as possible and cover our neck with our hands. I was really scared and hoped that we would never need to use this advice.

9. My friend and I were really frightened and were holding hands as we ran as fast as we could to reach my sister's house. I kept thinking to myself that we were going to be okay and that we would drop off the groceries and make it back home safely.

10. Unfortunately, on our way, my friend and I heard the loud shrill whistle of a katyusha rocket. It was so close to us and I was so scared that I was going to die. We were in a narrow street and we frantically found a narrow side alley to run into for shelter. I had never been in such a stressful situation before; I had to decide in less than a split second where would be the safest place to hide. It felt as if my head was pulling in one direction but my legs were running in a different direction. My body was operating on automatic survival mode.

11. As we crouched together, covering our bodies like my mother had instructed, with my friend actually on top of me, I looked around and saw that we had unknowingly placed ourselves right next to two gas canisters. I could not do anything; it was too late to run out and find another place to hide. At that point I thought that the rocket would land right on top of us and that we would just die on the spot as we exploded with the two gas canisters. I thought that it would be a horrible way to die, since my parents would not have my body to bury, but at least it would be quick and hopefully painless. In those split seconds I saw my entire life pass before my eyes and couldn't understand why I was only given sixteen years to live; that is how close to death I felt.

12. I heard the bomb land right near us and merely had to turn my head slightly to see the large plume of black smoke rising in the air. We got up and raced for our lives back to my house where my mother, hysterically crying, had been frantically waiting for us because she had also heard the whistling rocket and did not know if I was alive or dead.

13. After this experience I was very scared and anxious every time I heard a katyusha rocket. I was stressed out and was crying to my mother most of the time. Unlike most residents of Tzfat who had evacuated the city, I had nowhere to go. I remained in my parent's house for the next several weeks while the war was still going on around us. I did not leave the house because I was too scared. I moved my belongings to a part of the house that was partially underground in hope that this location would be safer in case a katyusha rocket landed on our house.

14. During this entire time, I had no one to talk to other than my parents. All my friends had left Tzfat and few had cell phones at that time. The three of us sat glued, day and

night, to the computer and news to get daily updates as to the war status. This only added to the stressful, anxious environment we were now living in.

15. My father was an artist who had a gallery in Tzfat. Once the katyusha rockets started falling, the tourists stopped coming to the gallery and therefore my father had no income. I noticed that my father, a Holocaust survivor, was stressed out by his lack of income. I realized that this would have repercussions for me since I would be unable in the future to ask for discretionary funds.

16. An opportunity presented itself for me to leave the dangers of Tzfat and be with friends in Jerusalem, a city outside the reach of the rockets. On one hand, I was so scared to remain in Tzfat but on the other hand I did not want to leave my elderly parents all by themselves. I chose to leave Tzfat but spoke to my parents many times each day to see how they were. Even though they told me they were okay I feared that something had happened to them or to the house and they were hiding it from me so that I wouldn't worry.

17. Being in Jerusalem away from the dangerous katyusha rockets of Tzfat made me feel a little better. There were people for me to talk to and people were smiling. However, I was worried and anxious about my parents all the time. Fortunately the cease fire went into effect not long thereafter, and I was able to return home.

18. I am a changed person since the katyusha rocket incident. As I waited for the rocket to land thinking that I was going to be killed, I was robbed of my innocence. It made me understand that life is not so good all the time.

18. I am a changed person since the katyusha rocket incident. As I waited for the rocket to land thinking that I was going to be killed, I was robbed of my innocence. It made me understand that life is not so good all the time.

19. Even today, it is extremely difficult and painful for me to go back to Tzfat to visit with my parents and pass by the spot where I stood expecting to be killed. I am anxious, scared and nervous. I have panic attacks and start crying as I relive the entire experience from beginning to end. When I walk outside in Tzfat my senses and alertness are heightened as I scan the street thinking of where would be a good place to hide if a rocket should be fired again from Lebanon into Israel.

20. The panic, fear and stress do not leave me when I leave Tzfat. It accompanies me wherever I go. Before the war I was not afraid of anything. But that is a distant memory. I am scared when I hear alarms or loud noises that sound like bombs. My emotions just overwhelm me suddenly. I do not want to be left alone. I am afraid of thunder since it sounds too much like exploding bombs. I recall an episode when the electricity went off in my house and I just sat there crying and waiting for my husband to come to rescue me.

21. No matter how many years have gone by since the War, I re-live everything on the anniversary date. The flashbacks are so frighteningly real; these are things that I fear I will carry with me for the rest of my life.

I declare under the penalty of perjury of the United States of America that the foregoing is true and correct.

Executed on March 28, 2012



Chaya Kaszemacher

Divider page

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

_____)	
KAPLAN, <i>et al.</i> ,)	
)	
Plaintiffs,)	Civ. No. 09-646 (RWR)
)	
v.)	
)	
HEZBOLLAH, <i>et al.</i> ,)	
)	
Defendants.)	
_____)	

DECLARATION OF DVORA KASZEMACHER

Dvora Chana Kaszemacher of Tzfat, Israel declares pursuant to 28 U.S.C. §1746, as follows:

1. I am an American citizen and was born in Baltimore, Maryland on June 20, 1950.
2. I am a resident of Israel and currently reside in Tzfat, Israel.
3. My husband Jacob I were married on March 1, 1987. Jacob passed away on July 27, 2011.
4. I am the mother of five children, three of whom are my husband Jacob's biological children from his first marriage. Avraham was born on January 9, 1970, Rivka was born December 6, 1973, Mordechai was born May 8, 1977, Miriam was born April 17, 1988 and Chaya was born February 13, 1990.

5. At the time of the Second Lebanon War in July, 2006, I was living in the northern Israeli city of Tzfat with my husband and youngest daughter Chaya. Most of my older children were married with families of their own and also lived in Tzfat, within close proximity to my home.

6. On July 13, 2006, which was the first day that katyusha rockets were fired from Lebanon into Tzfat, I was taken by surprise when the first rocket fell. I heard the whistling and the explosion, but this was all so new to us. My husband, a Holocaust survivor, and I were very concerned and scared about what this meant for us as a family and as a community. We began to think about whether we should leave or stay in Tzfat.

7. Several more rockets fell in the vicinity of our home. During a brief lull in the rocket fire later that afternoon, one of my daughters-in-law called me to ask if the local grocery store was still open despite the rocket fire. She needed to get bread and milk for her children and wanted to send her eight year old child to the store. I refused to allow her to send an eight year old to the store because of the danger of the rocket fire.

8. I went to the store to make the purchase and fortunately returned home safely. The whole time I was out of the house I was scared that perhaps another katyusha rocket would fall. I questioned: What would happen to me, what could happen to Chaya, who would take care of my husband, children and grandchildren? I remembered that as a child in the Vietnam and Cold War eras, we were taught in school what to do in the event of a bomb attack. Those lessons of forty years ago resurfaced as I recalled being told to find the nearest doorway or wall and make myself as compact as possible while trying to protect my vital organs by wrapping my arms around my body and neck.

9. I asked Chaya and her friend to bring the bread and milk from our house to my daughter in law's home. After they left I was on the telephone with a friend, when suddenly through the phone and in the air in my house, I heard the sharpest, loudest and most piercing shrill of a whistle which was a katyusha rocket flying through the air and then impacting nearby. My immediate thoughts raced to my daughter Chaya. Where was she? Had she arrived safely at my daughter in law, was she still alive? Trying to make sense of it all through the screams of my friend and her child over the telephone line and the screams from one of my older daughters in the house who was calling out to me to find out what had just happened and if I was okay, all I kept thinking about was Chaya. I was so very frightened that my daughter might have been injured. That sense of fear and being out of control is one that I will not easily forget.

10. As it was, the rocket had in fact fallen not too far from Chaya when she was on her way to drop off the groceries. Fortunately she was not physically injured but she was very scared and shaken from the incident, having a rocket hit so close to her and the feeling that she was about to die.

11. After this incident, Chaya became anxious and nervous. With most of her friends fleeing Tzfat for safety reasons, Chaya stayed in the house since the summer camp that she was supposed to attend had been cancelled. Within a week or two of being home with me and my husband in Tzfat throughout the rocket attacks, the fear, stress and insecurity of what could happen next was too much for Chaya to bear and she, too, went to stay with different friends in other, safer parts of the country.

12. Chaya was a different person immediately after the incident with the katyusha rocket, and her change continued to persist when she returned home after the war had

ended. She became less ambitious in school, her ability to concentrate was significantly diminished and her zeal for life had been dampened. She was supposed to attend a school in England but decided against it because she didn't want to be too far from the family.

13. Not only did she personally have a close call with the katyusha rocket but she saw her entire family scatter as her married siblings frantically fled the city with their small children. Conflicted between leaving her older mother and Holocaust survivor father, Chaya told me repeatedly she felt guilt as she decided to leave her parents so that she could be further from the rocket fire.

14. I remained with my husband in Tzfat during the entire war. My husband, who was an artist, had an art gallery in Tzfat from which we received our sole family income. With the onset of the katyusha rockets flying in from Lebanon, the tourists disappeared overnight and so did our income. We were required to shut the gallery. Not only was this income necessary to support myself, husband and Chaya, but my husband also helped financially support our older married children - one of whom had six children of his own and a pregnant wife.

15. The monetary stress from the gallery being closed coupled with my husband's distress about not being able to work and being cooped up in the house was something that affected me greatly. I also had to deal emotionally with not having my children around and not being sure of their safety. I spent many days trying to find my son's family accommodations for his large family. This caused me undue stress and worry since it was so hard to help from afar.

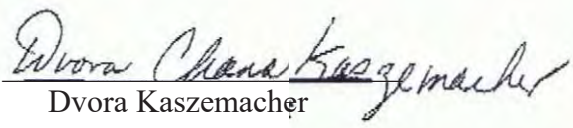
16. During the rocket attacks on Israel my husband and I rarely left the house, and when we did, it was only for essential reasons like to go to the grocery store, bank or synagogue. Several times during our outside ventures the bomb sirens would go off. I would follow emergency protocol but I was very nervous and scared for my husband since I might not know where he was and if he was safe. He was not the type to follow emergency protocol. Being a Holocaust survivor shaped his attitude toward danger. I constantly feared that his not following emergency protocol when he was outside might cost him his life. The thought of losing him was petrifying.

17. I try to push the events of the Second Lebanon War of 2006 out of my mind. I get extremely stressed out talking about what happened to me and my family; it certainly doesn't help to think about it. The thoughts and reminders of that period leave me feeling depressed at times. Whenever I hear civil defense sirens I get anxious. I automatically pick up my ears and go into emergency mode. I turn on the radio and call someone to see what has happened. I ask myself whether this time it is for real or is this just army practice.

18. The impact of the war was life altering for me and my family, the consequences of what happened will surely stay with us for the rest of our lives.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on March 29, 2012


Dvora Kaszema

Divider page

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

KAPLAN, <i>et al.</i>,)	
)	
)	
Plaintiffs,)	Civ. No. 09-646 (RWR)
)	
v.)	
)	
HEZBOLLAH, <i>et al.</i>,)	
)	
Defendants.)	
)	

SUPPLEMENTAL DECLARATION OF DVORA KASZEMACHER

Dvora Chana Kaszemacher of Tzfat, Israel hereby supplements her original declaration pursuant to 28 U.S.C. §1746, as follows:

1. The Second Lebanon War occurred during July 2006-August 2006. The city of Tzfat, in which my business was located, bore the brunt of Hezbollah's katyusha rocket attacks during the peak of the tourist season. As a result, the business operated by my deceased husband, on which my entire family depended for income was significantly disrupted.

2. Hezbollah's incessant rocket attacks resulted in a lack of tourism during what is usually the highest-earning period for businesses in Tzfat.

3. This severely affected my family's income, as reflected by the business' balance sheets attached to this supplemental declaration, and incorporated by reference.

4. The attached balance sheets are business records that were made at or near the time, from information transmitted by myself and my husband to our certified accountant at that time. As owners, we are people with knowledge. The record was kept in the course of a regularly conducted activity of the business.

5. The attached balance sheets reflect the business' income during the years 2005, 2006 and 2007, and are broken down by month.

6. In July 2005, the business generated income of 35,735 New Israeli Shekels ("NIS"). In August 2005, the business generated income of 40,975 NIS.

7. The total income for the period of July-August 2005 equaled 76,710 NIS.

8. During this same period in 2006—the year the Hezbollah rocket attacks effectively forced the business to shut down—the business' income is significantly lower. In July 2006, the business generated income of 26,402 NIS (most of which was earned before the first rocket attack on July 13). In August 2006, the business generated income of 15,077 NIS.

9. The total income for the period of July-August 2006 equaled 41,479 NIS.

10. A year after the war ended, in July 2007, the business generated income of 47,970 NIS. In August 2007, the business generated income of 44,287 NIS.

11. The total income for the period of July-August 2007 equaled 92,257 NIS.

12. By evaluating the business' income during the periods of July-August 2005 and 2007, we conclude that the business was trending upwards. It generated income of 76,710 NIS and 92,257 NIS in July-August 2005 and 2007 respectively. The Hezbollah attacks during July-

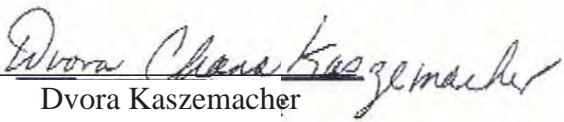
August 2006 disrupted this upward trend resulting in a significant drop-off from what would have been an otherwise prosperous season for the business.

13. By averaging the income generated during July-August 2005 and 2007, I reached the estimated amount of income that the business would have made had Hezbollah not attacked the city of Tzfat in July-August 2006. The average of the July-August period of 2005 and 2007 is 86,483 NIS. This is 45,004 NIS less than the business' actual income for the July-August period of 2006 (41,479 NIS).

14. Using today's conversion rate (June 21, 2015), the total loss in prospective income for the period of July-August of 2006 attributable to Hezbollah's rocket attacks on the city of Tzfat equal USD \$11,753.98.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on July 15, 2012


Dvora Kaszema

1 : דף
2 : מתוך
שנה : 2006

שם העסק : קשמכר יעקב
סוג העסק : יחיד

יתרות סעיפים לפי חודשים 01/01/2006 - 31/12/2006 (*)

למנות 7 - 1 לתאריכים : 01/01/2006 - 31/12/2006

ממוין לפי מספר סעיף

לא כולל מע"מ

מספר	שם סעיף	1/2006	2/2006	3/2006	4/2006	5/2006	6/2006	7/2006	8/2006	9/2006	10/2006	11/2006	12/2006	סה"כ
1	חכנסה מגלריה	12,582	6,725	12,816	17,118	18,928	22,469	20,866	15,077	3,455	15,367	11,859	17,562	174,824
2	חכ' ללא מע"מ	1,380	6,135	15,469	4,370	1,982	8,432	5,536	0	6,588	2,352	12,001	29,777	97,017
3	חכ' פיצוי מלחמה	0	0	0	0	0	0	0	0	14,768	0	0	0	14,768
	סה"כ חכנסות	13,962	12,860	28,285	21,488	23,910	30,901	26,402	15,077	24,806	17,719	23,860	47,339	286,609
4	הוצ' משכורות	1,459	0	3,802	3,155	1,877	2,027	1,879	3,632	926	1,281	1,866	883	22,787
5	קניות יבוא	0	0	0	0	0	0	0	0	3,520	0	0	0	3,520
7	הוצ' הדפוס ופיתוח	0	149	231	0	405	0	0	169	242	24	0	0	1,307
8	חומרים	0	512	1,932	2,714	633	1,616	2,933	1,653	904	6,501	1,300	6,280	26,978
9	משכורות	177	207	199	378	58	276	0	39	94	268	54	752	2,501
10	חשמל	0	844	0	456	0	433	0	302	0	377	0	344	2,766
11	טלפון ואינטרנט	591	1,314	143	1,127	145	1,033	145	656	146	482	394	146	6,322
13	מיסים ואגרות	1,400	30	1,400	0	1,398	0	0	494	3,159	0	1,451	0	9,332
14	שכ"ד	1,317	1,340	330	2,332	1,268	1,301	1,120	1,460	1,267	1,269	1,253	1,223	15,480
16	הוצ' רכב	516	4,683	453	139	3,357	1,370	196	77	0	0	0	0	11,111
17	דלק ושמנים	470	1,334	0	791	823	290	0	1,562	0	484	232	211	6,197
18	אחזקה ותיקונים	790	347	27	197	0	107	22	36	34	687	0	651	2,898
19	צמיגים	0	0	0	0	0	1,027	0	0	0	0	0	0	1,027
21	החז"ר	343	0	343	0	1,031	0	346	0	346	0	346	0	3,355
22	חובלה	0	0	0	34	30	0	0	24	0	0	0	0	88
23	הוצ' משלוחים לחו"ל	0	32	1,117	402	571	599	517	1,388	756	359	1,098	137	6,976
24	הוצ' ליווי תערוכה	0	0	210	0	0	0	0	0	0	0	0	0	210
25	הוצ' אש"ל ונסיעות	0	0	0	0	0	0	0	0	0	0	1,403	0	1,403
26	אירוע	464	86	103	0	288	283	248	0	0	225	135	0	1,832
27	עמלה	537	436	485	868	362	402	873	506	112	150	373	118	5,422
30	פרסים	0	0	0	0	300	0	0	630	0	0	0	0	930
31	עמלות מכס	722	0	0	0	0	0	0	0	0	701	0	0	1,423
33	ספרות מקצועית	42	0	0	0	0	0	0	0	0	0	0	0	42
34	דואר	0	36	0	0	35	27	7	0	0	7	0	13	125
35	משכבים	1,391	0	0	0	0	0	0	0	0	0	0	0	1,391
36	הוצ' פלאטן	0	0	0	0	0	0	70	239	240	561	54	94	1,258
38	עמלה מכירה תיווך	167	0	0	515	0	0	190	0	0	0	0	0	872
40	מרטסי טיסק	0	0	0	0	0	0	0	3,041	0	0	3,789	0	6,830
49	שבירות קופה-ליפמן	88	88	88	176	0	89	89	90	90	90	0	178	1,066
50	הוצ' מצלמה	1,057	222	1,543	245	1,966	245	0	394	303	367	0	0	6,348
58	הוצ' מחשבים	0	0	1,361	174	43	648	0	0	0	0	0	0	2,226

שם מייצג לזיהוי בלבד : הופרט את ברזל
הופק ע"י : עצמאית לחלונות של ט.מ.ל
(י) הדוח הופק גם מנתוני חקובץ חזמני

ע"פי תעודת רישום (מ"ח) מספר 23705

בתאריך : 13/03/2012

שנה : 2006
 דף : 2
 מתוך : 2

שם העסק : קשמכר יעקב
 סוג העסק : יחיד

יתרות סעיפים לפי חודשים 01/01/2006 - 31/12/2006 (*)

למנות 7 - 1 לתאריכים : 01/01/2006 - 31/12/2006

ממוין לפי מספר סעיף

לא כולל מע"מ

מספר	שם סעיף	1/2006	2/2006	3/2006	4/2006	5/2006	6/2006	7/2006	8/2006	9/2006	10/2006	11/2006	12/2006	סה"כ
	סח"ב הוצאות	11,531	11,624	13,803	13,717	15,390	11,772	8,635	16,392	12,139	13,993	13,748	11,277	154,021
	הכנסות פחות הוצאות	2,431	1,230	14,482	7,771	8,520	19,129	17,767	-1,315	12,007	3,726	10,112	36,062	132,386
96	קניית רכוש	16,166	7,256	8,305	1,451	2,671	0	0	0	16,948	4,286	0	9,973	67,056
	סח"כ קניית רכוש	16,166	7,256	8,305	1,451	2,671	0	0	0	16,948	4,286	0	9,973	67,056

ע"פי תעודת רישום (מ"ח) מספר 23705

בתאריך : 13/03/2012

שם מייצג לוויה בלבד : הופרס את ברזל
 חופק ע"י : עצמאית לחלונות של ט.מ.ל.
 (י) חדורח הופק גם מנתוני חקובי הזמני

שנה : 2005
דף : 1
מתוך : 2

שם העסק : קשמכר יעקב
סוג העסק : יחיד

יתרות סעיפים לפי חודשים 01/01/2005 - 31/12/2005 (*)

למנות 6 - 1 לתאריכים : 01/01/2005 - 31/12/2005

ממוין לפי מספר סעיף

לא כולל מע"מ

מספר	שם סעיף	1/2005	2/2005	3/2005	4/2005	5/2005	6/2005	7/2005	8/2005	9/2005	10/2005	11/2005	12/2005	סה"כ
1	הכנסה מנכ"ל	15,970	11,415	10,955	9,951	20,546	23,765	30,151	25,263	6,256	12,185	12,916	18,794	198,267
2	חכ"ל לא משיב	0	0	0	0	0	4,776	5,584	13,812	0	1,370	3,794	5,872	37,008
	סה"כ הכנסות	15,970	11,415	10,955	9,951	20,546	28,541	35,735	40,975	6,256	13,555	16,710	24,666	235,275
4	הוצ' מסעדות	1,367	504	1,632	0	1,882	6,067	3,432	4,926	515	1,064	1,251	1,850	24,510
6	קנאות	0	0	0	0	0	0	3,480	0	0	0	0	0	3,480
7	חצי הופסח ומינור	1,600	111	0	0	35	128	60	71	26	0	67	30	2,148
8	חומרים	2,753	340	1,496	1,721	55	4,445	1,679	215	0	843	2,561	0	16,108
9	משרדיות	381	67	42	109	414	38	245	281	0	17	285	130	1,989
10	חשמל	0	909	0	0	438	501	0	719	0	385	0	742	3,694
11	טלפון ואינטרנט	1,558	544	1,044	292	438	768	281	956	389	796	948	194	8,210
12	נקיון	0	26	0	0	0	0	0	0	0	0	0	0	26
13	מיסים ואגרות	1,398	0	1,450	0	1,400	125	1,405	0	1,433	0	1,420	0	6,031
14	שכ"ד	1,252	1,396	1,251	1,244	1,243	1,280	1,295	1,272	1,308	1,200	1,503	1,311	15,555
16	חצי רכב	0	27	0	18	903	0	0	0	878	0	498	0	2,324
17	דלק וטמנים	140	253	362	90	742	90	167	182	91	181	598	0	1,896
18	אחזקה ותיקונים	0	0	0	0	0	17	0	0	0	0	20	147	184
19	צמיגים	0	0	0	0	0	0	0	0	0	0	0	0	0
20	דמי חכ"ר קרית האומנים	0	0	0	0	0	0	0	0	0	0	275	0	275
21	הנח"ח	0	0	0	0	1,282	0	0	342	343	0	343	0	2,310
22	חובלה	51	0	0	0	0	0	0	43	0	0	0	315	409
23	הוצ' משלוחים לחו"ל	294	132	296	0	0	356	0	0	129	108	245	266	1,823
26	ארוזה	74	0	110	0	262	247	332	0	300	0	0	196	1,521
27	עמלה	435	400	337	409	405	487	1,139	718	805	127	469	270	6,091
30	פרסים	0	0	0	0	0	66	0	0	0	0	258	0	324
31	עמלות מכס	0	293	-180	0	0	0	0	10,643	0	0	0	0	11,428
34	דואר	0	0	83	134	0	0	78	0	45	0	0	17	357
35	מחשבים	412	256	0	0	0	77	1,247	2,762	1,250	181	0	442	6,127
49	שכירות קופה-ליפמן	86	86	85	85	85	86	0	173	88	88	88	88	1,038
50	חצי מצלמה	0	0	1,282	0	26	38	0	2,945	535	0	416	0	5,242
	סה"כ הוצאות	11,821	5,344	9,290	4,102	9,630	14,816	14,840	25,728	8,134	4,992	11,743	6,670	127,110
	הכנסות פחות הוצאות	4,149	6,071	1,665	5,849	10,916	13,725	20,895	15,247	-1,878	8,563	4,967	17,996	108,165
96	קניית רכוש	13,816	1,136	4,989	0	340	5,856	7,703	31,994	0	1,780	0	30,193	117,807

ע"פי תעודת רישום (מ"ה) מספר 23705

שם מייצג לזיהוי בלבד : הופרט את ברזל
חופק ע"י : עצמאית לחלונות של ט.מ.ל. בתאריך : 13/03/2012
(*) הדיוח חופק גם מנתוני הקובץ הזמני

שנה : 2005
 דף : 2
 מתוך : 2

שם העסק : 994 - קשמכר יעקב
 סוג העסק : יחיד

יתרות סעיפים לפי חודשים 01/01/2005 - 31/12/2005 (*)

למנות 6 - 1 לתאריכים : 01/01/2005 - 31/12/2005

ממוין לפי מספר סעיף

לא כולל מע"מ

מספר	שם סעיף	1/2005	2/2005	3/2005	4/2005	5/2005	6/2005	7/2005	8/2005	9/2005	10/2005	11/2005	12/2005	סה"כ
סחייב קניית רכוש		13,810	1,136	4,989	0	340	5,856	7,703	51,994	0	1,780	0	30,193	117,807

ה'תשנ"ב

שם סעיף	ינאר	פברואר	מרץ	אפריל	מאי	יוני	יולי	אוגוסט	ספטמבר	אוקטובר	נובמבר	דצמבר	סה"כ
הכנסות ממלגה	16,801	29,265	6,463	18,262	25,614	43,974	36,950	37,440	22,749	27,106	6,529	26,597	297,770
הכ' ללא מע"מ	7,269	5,465	3,898	7,239	25,328	27,573	33,686	34,899	8,643	29,294	4,527	18,292	206,113
הוצ' מסחרית		3,416	4,389	4,163	5,701	5,100	5,153	9,999	1,977	9,520	1,329	6,918	57,665
קניית נכס				2,195								2,195	2,195
הוצ' הדפסה ופיתוח חומרים	84						100						184
משרדיות	1,774	4,184	792	4,579	5,209	4,218	4,618	6,999	48	7,077	916	2,336	42,750
חשבוני	14	612		36	343		248	40	108	135	87	1,623	3,003
טלפון ואינטרנט	836	726	254	594	293	487	722	404	193	538	300	353	5,614
נזיון					108							108	108
מסיים ואגרות ש"ד	1,478		1,478		1,475		1,476		1,490		1,644	200	9,241
הוצ' רכב	1,128	182	297	168	88	210	1,377	1,281	2,272	167	1,166	1,129	14,816
דלק ושקנים	490	249	243	513	852	689	242	478	382	357	23	162	4,736
אחזקה ותקנים		90	20	147	277	234		56	159		380	1,190	2,553
דמי חבר קרית האומנים	1,000	1,488			346								2,488
הנה"ח	346		346		43		346		346		43		3,375
הובלה				566									652
הוצ' משלוחים לחו"ל		1,048		695	879		5,045		2,384	3,126	469	529	14,175
הוצ' אשל ונסיעות			170										170
אריזה	430			348		470		643	436	140		394	2,861
עמלה	397	299	368	281	408	1,577	1,384	300	1,358	685	741	63	7,861
אחזקה		158											158
עמלות מכס	350			473	264	764		829		347	116		3,143
דואר		71	28	116	23	13	729	39	288	183	277		1,767
הוצ' פלאפון	135	157	358			333	134	324		204	196		1,841
עמלה מעירה חיוני	208	450		268	35		118						1,079
כרטיסי טיסה			1,834										1,834
שכירות קופה	88	173		91	87	88	88	89	90	91	90	90	1,065
הוצ' מזלמה			1,486		3,359	1,874	4,835	1,564		735	82		11,714
הוצ' מחשבים	139				580	5,239	1,139	2,020	260			74	11,672
סה"כ	24,070	25,036	-5,215	12,232	34,514	49,480	47,970	44,287	4,867	42,539	-13,302	36,091	488,949

Divider page

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

_____)	
KAPLAN, <i>et al.</i> ,)	
)	
Plaintiffs,)	Civ. No. 09-646 (RWR)
)	
v.)	
)	
HEZBOLLAH, <i>et al.</i> ,)	
)	
Defendants.)	
_____)	

SECOND CORRECTED SUPPLEMENTAL DECLARATION OF
DVORA KASZEMACHER

Dvora Chana Kaszemacher of Tzfat, Israel hereby submits a corrected supplemental to her original declaration pursuant to 28 U.S.C. §1746, as follows:

1. The Second Lebanon War occurred during July 2006-August 2006. The city of Tzfat, in which my business was located, bore the brunt of Hezbollah's katyusha rocket attacks during the peak of the tourist season. As a result, the business operated by my deceased husband, on which my entire family depended on for income was significantly disrupted.
2. Hezbollah's incessant rocket attacks resulted in a lack of tourism during what is usually the highest-earning period for businesses in Tzfat.
3. This severely affected my family's income, as reflected by the business' balance sheets attached to this supplemental declaration, and incorporated by reference.

4. The attached balance sheets are business records that were made at or near the time, from information transmitted by myself and my husband, who as owners of the shop were people with knowledge. The record was kept in the course of a regularly conducted activity of the business.

5. The attached balance sheets reflect the business' income during the years 2005, 2006 and 2007, and are broken down by month.

6. In July 2005, the business generated profits of 20,895 New Israeli Shekels ("NIS"). In August 2005, the business generated income of 15,247 NIS.

7. The total income for the period of July-August 2005 equaled 36,142 NIS.

8. During this same period in 2006—the year the Hezbollah rocket attacks effectively forced the business to shut down—the business' income is significantly lower. In July 2006, the business generated income of 17,767 NIS (most of which was earned before the first rocket attack on July 13). In August 2006, the business generated income of -1,315 NIS.

9. The total income for the period of July-August 2006 equaled 16,452 NIS.

10. A year after the war ended, in July 2007, the business generated income of 42,584 NIS. In August 2007, the business generated income of 45,814 NIS.

11. The total income for the period of July-August 2007 equaled 88,398 NIS.

12. By evaluating the business' income during the periods of July-August 2005 and 2007, we conclude that the business was trending upwards. It generated income of 36,142 NIS and 88,398 NIS in July-August 2005 and 2007 respectively. The Hezbollah attacks during July-

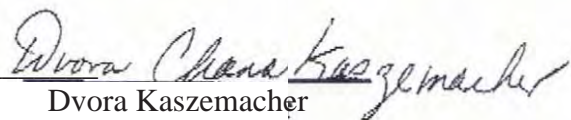
August 2006 disrupted this upward trend resulting in a significant drop-off from what would have been an otherwise prosperous season for the business.

13. By averaging the income generated during July-August 2005 and 2007, I reached the estimated amount of income that the business would have made had Hezbollah not attacked the city of Tzfat in July-August 2006. The average of the July-August period of 2005 and 2007 is 62,270 NIS. This is 45,818 NIS more than the business' actual income for the July-August period of 2006 (16,452 NIS).

14. Using the conversion rate from June 21, 2015, (which is 3.8288), the total loss in prospective income for the period of July-August of 2006 attributable to Hezbollah's rocket attacks on the city of Tzfat equal USD \$11,966.67.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on March 17, 2016_____


Dvora Kaszemaker

ניצנה דרשן-לייטנר ושות', משרד עורכי-דין
Nitsana Darshan-Leitner & Co., Law-Offices

בית הקרן, רח' התע"ש 10 רמת גן, 52512
Beit Hakeren, 10 Hata's St. Ramat Gan, 52512
טל: 972-3-7514175, פקס: 972-3-7514174
E-mail: nitsanaleitner@gmail.com

9.3.2016

בנואר אלקטרוני ל- hup18@bezeqint.net

לכבוד
מר יואל הופרט
הופרט את ברזל

הנדון – תיק המס של יעקב ודבורה קשמר 2005-2007

1.1.4

במשך לשיחתנו הטלפונית מחיוס, חנני מתכבדת לפנות אליך כדלקמן :

1. הנני מאשרת קבלת הפקס עם חתונתם הסופיים של העסק לחודשים יולי-אוגוסט 2005-2007. מבקש שתשלח את החתונות לכל חודשי השנים הללו ולא רק חתך של יולי-אוגוסט.
2. בנוסף, נבקשך לשלוח לנו מכתב על נייר פירמה בנוסח כדלהלן:
- שמי ברזל, איתי זאב, חנני שותף במשרד חופרת את ברזל, חשבוני ויועץ מס, הנמצא בצפת. כתובתנו לצרכי דואר חינו ת.ד. 28 מ. 13100 ישראל. מספר הטלפון במשרדנו הוא 04-6973934.
- משרדינו מורשה לנהל חשבונות ולהכין דוחות למס הכנסה עבור אנשים פרטיים ועבור בתי עסק בישראל. אנחנו פועלים בתחום האמור מזה 14 שנים.
- עברתי על תגליות המצייב לשנים 2005-2007 וחנני מאשר שהמידע חפונסי הכלול בחם הינו נכון ותואם את המידע הפיננסי שהוגש למס הכנסה עבור עסקו של יעקב קשמכר לשנים אלו (2005-2007).

~~בכבוד
חברתנו יועץ מס (מיליון)
שם:~~

תאריך: 10 למרץ 2016

3. לטיפולך המהיר נודת.

בכבוד רב,

Quaker

עו"ד דינה רובינר

1 : דף
2 : מתוך

שנה : 2005

(*)

יתרות סעיפים לפי חודשים - 31/12/2005 - 01/01/2005

למנות 6 - 1 לתאריכים : 31/12/2005 - 01/01/2005

מבוקש לפי מספר שערך

לא כולל מע"מ

שם המסכן : קשמבר יעקב - 994

סוג המסכן : יחיד

מספר	שם שערך	1/2005	2/2005	3/2005	4/2005	5/2005	6/2005	7/2005	8/2005	9/2005	10/2005	11/2005	12/2005	סדר"כ
------	---------	--------	--------	--------	--------	--------	--------	--------	--------	--------	---------	---------	---------	-------

הכנסות

1	הכנסה מגלריה	15,970	11,415	10,955	9,951	20,546	23,765	30,151	25,363	6,256	12,185	12,916	18,794	198,267
2	הכ"ל ללא מע"מ	0	0	0	0	0	4,776	5,584	15,612	0	1,370	3,794	5,872	37,008

סה"כ הכנסות

15,970	11,415	10,955	9,951	20,546	28,541	35,735	40,975	6,256	13,555	16,710	24,666	235,275
--------	--------	--------	-------	--------	--------	--------	--------	-------	--------	--------	--------	---------

הוצאות

4	הוצ' מסגרות	1,387	504	1,632	0	1,882	6,067	3,432	4,926	515	1,064	1,251	1,850	24,510
6	קצ"ת	0	0	0	0	0	0	3,480	0	0	0	0	0	3,480
7	הוצ' הדפסה ופיתוח	1,600	111	0	0	55	128	60	71	26	0	67	30	2,148
8	חומרים	2,753	340	1,496	1,721	55	4,445	1,679	215	0	843	2,561	0	16,108
9	משכורות	381	67	42	109	414	38	245	261	0	17	285	130	1,989
10	חשמל	0	909	0	0	438	501	0	719	0	385	0	742	3,694
11	טלפון ואינטרנט	1,558	544	1,044	292	438	768	281	956	389	798	948	194	8,210
12	נקיון	0	26	0	0	0	0	0	0	0	0	0	0	26
13	מיסים ואגרות	1,398	0	1,450	0	1,400	125	1,405	0	1,433	0	1,420	0	8,631
14	שכ"ד	1,252	27	1,251	1,244	1,243	1,280	1,295	1,272	1,308	1,200	1,503	1,311	15,555
16	הוצ' רכב	0	0	0	18	903	0	0	0	878	0	498	0	2,324
17	דלק ושמונים	140	253	362	90	742	90	167	182	91	181	598	0	2,896
18	אחזקה ותקנונים	0	0	0	0	0	17	0	0	0	0	20	147	184
19	מזגנים	0	0	0	0	0	0	0	0	0	0	275	0	275
20	דמי חבר קרית האומנים	0	0	0	0	0	0	0	0	0	0	500	0	500
21	הנה"ח	0	0	0	0	1,282	0	0	342	343	0	343	0	2,310

ע"פי תעודות רישום (מ"ר) מספר 23710

16/03/2016 : בתאריך

שם מיניג ליוויי בלבד : הופרט את בודל
העסק ע"י : עצמאות לחלונות של ט.ג.ל. בוארד

לי הדות חופק גם מנתוני הקובץ הריבוי

2 : דף
2 : מותד

שנה : 2005

(*)

יתרות סעיפים לפי חודשים - 31/12/2005 - 01/01/2005

למנות 6 - 1 לתאריכים : 31/12/2005 - 01/01/2005

ממוקד לפי מספר סעיף

לא כולל מעיים

שם העסק : קשמבר יעקב - 994
סוג העסק : יחיד

מספר	שם סעיף	1/2005	2/2005	3/2005	4/2005	5/2005	6/2005	7/2005	8/2005	9/2005	10/2005	11/2005	12/2005	סה"כ
22	הובלה	51	0	0	0	0	0	0	43	0	0	0	315	409
23	הוצא משלוחים לחו"ל	294	132	296	0	0	356	0	0	128	108	243	266	1,823
26	אחידה	74	0	110	0	262	247	332	0	300	0	0	196	1,521
27	עמלה	435	400	337	409	405	487	1,139	718	805	127	469	270	6,001
30	פרסום	0	0	0	0	0	66	0	0	0	0	258	0	324
31	עמלות מכס	0	0	-180	0	0	0	0	10,643	0	0	0	672	11,428
34	דואר	0	0	83	134	0	0	78	0	45	0	0	17	357
35	מחשבים	412	256	0	0	0	0	1,247	2,262	1,250	181	0	442	6,127
49	שכירות קופה-ליפטן	86	86	85	85	85	86	0	173	88	88	88	88	1,038
50	הוצא מלכמה	0	0	1,282	0	26	38	0	2,945	535	0	416	0	5,242
סה"כ הוצאות		11,821	5,344	9,290	4,102	9,630	14,816	14,840	25,728	8,134	4,992	11,743	6,670	127,110
הכנסות פחות הוצאות		4,149	6,071	1,665	5,849	10,916	13,725	20,895	15,247	-1,878	8,563	4,967	17,996	108,165
קניית רכוש														
קניית רכוש														
סה"כ קניית		13,816	1,136	4,989	0	340	5,856	7,703	51,994	0	1,780	0	30,193	117,807

ע"פ תעודת רישום (בי"ר) מספר 23710

16/03/2016 : בתאריך

שם מייצג ליוצרי בלבד : הופרט את ברוך

הופק ע"י :

לי"הדות תופק גם ממסמכי הקובץ הדיגיטלי

1 : דף
3 : מתוך

שנה : 2006

(*)

יתרות סעיפים לפי חודשים 01/01/2006 - 31/12/2006

למנות 7 - 1 לראשונים : 01/01/2006 - 31/12/2006

במונח לפי מספר סעיף
לא כולל מע"מ

מספר	שם סעיף	1/2006	2/2006	3/2006	4/2006	5/2006	6/2006	7/2006	8/2006	9/2006	10/2006	11/2006	12/2006	סדרה
הכנסות														
1	הכנסה מגלריה	12,582	6,725	12,816	17,118	18,928	22,469	20,866	15,077	3,455	15,367	11,859	17,562	174,824
2	הכז לא מע"מ	1,380	6,135	15,469	4,370	4,982	8,432	5,536	0	6,583	2,352	12,001	29,777	97,017
3	הכז פיצוי מלחמה	0	0	0	0	0	0	0	0	14,768	0	0	0	14,768
סדרה	הכנסות	13,962	12,860	28,285	21,488	23,910	30,901	26,402	15,077	24,806	17,719	23,860	47,339	286,609
הוצאות														
4	הוצ' מטרות	1,459	0	3,802	3,155	1,877	2,027	1,879	3,632	926	1,281	1,866	883	22,787
5	קניית נכס	0	0	0	0	0	0	0	0	3,520	0	0	0	3,520
7	הוצ' חדש ופיקוח	0	149	231	0	405	0	0	169	242	24	0	87	1,307
8	הוצ' חדש	0	512	1,932	2,714	633	1,616	2,933	1,653	904	6,501	1,300	6,280	26,978
9	משרדיות	177	207	199	378	58	275	0	39	94	268	54	752	2,501
10	חשמל	0	844	0	466	0	433	0	302	0	377	0	344	2,766
11	טלפון ואינטרנט	591	1,314	143	1,127	145	1,033	145	656	146	482	394	146	6,322
13	מגורים ואנדרות	1,400	30	1,400	0	1,398	0	0	494	3,159	0	1,451	0	9,332
14	שכ"ד	1,317	1,340	330	2,332	1,268	1,301	1,120	1,460	1,267	1,269	1,253	1,223	15,480
16	הוצ' רכב	516	4,683	453	139	823	1,370	196	77	0	160	0	160	11,111
17	דלק ושמנים	470	1,334	0	791	0	290	0	1,562	0	484	232	211	6,197
18	אחריות חתיכות	790	347	0	197	0	107	22	36	34	687	0	651	2,898
19	במנים	0	0	0	0	0	1,027	0	0	0	0	0	0	1,027
21	הוצ' ח"צ	343	0	343	0	1,631	0	346	0	346	0	346	0	3,355
22	חובלת	0	0	0	34	30	0	0	24	0	0	0	0	88

ע"פ תעודות רישום (מ"ח) מספר 23710

16/03/2016 : תאריך

שם מיצע לוחית בלבד : חומרת את בודל

הוצ' ח"צ : עמדות לחלוקת של ט.מ.ל

[י] הודות הופק גם מנתוני הקובץ הוצ' ח"צ

שם העסק : קשמכר עקב - 994
 סוג העסק : יחיד

2 : דף
 3 : ממך

שנה : 2006

(*)

יתרות סעיפים לפי חודשים 31/12/2006 - 01/01/2006

למנות 7 - 1 לוחריכים : 31/12/2006 - 01/01/2006

ממוין לפי מספר סעיף

לא מכלל מע"מ

מספר	שם סעיף	1/2006	2/2006	3/2006	4/2006	5/2006	6/2006	7/2006	8/2006	9/2006	10/2006	11/2006	12/2006	סה"כ
23	רו"ח משלוחים לחו"ל	0	32	1,117	402	571	599	517	1,388	756	359	1,098	137	6,976
24	רו"ח לניה תשדוכה	0	0	210	0	0	0	0	0	0	0	0	0	210
25	רו"ח אש"ל ונסיעות	0	0	0	0	0	0	0	0	0	0	1,403	0	1,403
26	ארזית	464	86	103	0	288	283	248	0	0	225	135	0	1,832
27	עמלה	537	436	485	868	562	402	873	506	112	150	373	118	5,422
30	מסוס	0	0	0	0	300	0	0	630	0	0	0	0	930
31	עמלות מכס	722	0	0	0	0	0	0	0	0	701	0	0	1,423
33	ספרות מקצועית	42	0	0	0	0	0	0	0	0	0	0	0	42
34	דואר	0	0	36	0	35	27	7	0	0	7	0	13	125
35	מחשבים	1,391	0	0	0	0	0	0	0	0	0	0	0	1,391
36	רו"ח פלאפון	0	0	0	0	0	0	70	239	240	561	54	94	1,258
38	עמלה מכירה תיזוד	167	0	0	515	0	0	190	0	0	0	0	0	872
40	כרטיסי טיסה	0	0	0	0	0	0	0	3,041	0	0	3,789	0	6,830
49	שכירות קופה-ליפמן	88	88	88	176	0	89	89	90	90	90	0	178	1,065
50	רו"ח מצלמה	1,057	222	1,543	249	1,966	245	0	394	303	367	0	0	6,346
58	רו"ח מחשבים	0	0	1,361	174	43	648	0	0	0	0	0	0	2,226
סה"כ חוצאות		11,531	11,624	13,803	13,717	15,390	11,772	8,635	16,392	12,139	13,993	13,748	11,277	154,021
חכמות מחזות חוצאות		2,431	1,236	14,482	7,771	8,520	8,529	17,767	-1,315	12,667	3,726	10,112	36,062	132,588
קניית רכוש														
קניית רכוש		16,166	7,256	8,305	1,451	2,671	0	0	0	16,948	4,286	0	9,973	67,056

ע"פי תעודות רישום (מ"ר) מספר 237.10

מחזור : 16/03/2016

שם מייצג ליהוי בלד : חופט את ברזל
 חפץ ע"י : עממאת לחסונות של טמל
 (י) תודות חופק גם מנתוני הקובץ חזמני

3 : דף
3 : מעדן

שנה : 2006

(*)

יתירות סעיפים לפי חודשים 31/12/2006 - 01/01/2006

למעות 7 - 1 : לתאריכים : 31/12/2006 - 01/01/2006

ממוין לפי מספר סעיף
לא כולל מע"מ

שם העסק : קשמבר יעקב - 994
סוג העסק : יחיד

מספר	שם סעיף	1/2/2006	2/2006	3/2006	4/2006	5/2006	6/2006	7/2006	8/2006	9/2006	10/2006	11/2006	12/2006	סך"כ
סך"כ קטית		16,166	7,256	8,305	1,451	2,671	0	0	0	16,948	4,286	0	9,973	67,056

שם מייצג ליוחזי בלבד : הופרט את ברזל
תפקיד ע"י : עממאית לחלונות של ט.מ.ל. בתאריך : 16/03/2016
יחידות תופק גם מטעני הקובץ הזמני

ע"פ תעודת רישום (מי"ד) מספר 23710

1 : דף
2 : מתוך
(*)

שנה : 2007

יתרות סעיפים לפי חודשים 31/12/2007 - 01/01/2007

למנות 7 - 1 לראשית : 31/12/2007 - 01/01/2007

מנות לפי מספר סעיף
לא כולל מע"מ

שם העסק : קושמבר יעקב - 994
סוג העסק : יחיד

מספר	שם סעיף	1/2007	2/2007	3/2007	4/2007	5/2007	6/2007	7/2007	8/2007	9/2007	10/2007	11/2007	12/2007	סך"כ
הכנסות														
1	הכנסה מגלריה	16,801	29,265	6,463	18,282	25,614	43,974	36,950	37,440	22,749	27,106	6,529	26,597	297,770
2	הכ"ל ללא מע"מ	7,269	5,465	3,898	7,239	25,328	27,573	33,686	34,899	8,643	29,294	4,527	18,292	206,113
סך"כ הכנסות		24,070	34,730	10,361	25,521	50,942	71,547	70,636	72,339	31,392	56,400	11,056	44,889	503,883
הוצאות														
4	הוצ' מסגרות	0	3,416	4,389	4,163	5,701	5,100	5,153	9,999	1,977	9,520	1,329	6,918	57,665
5	קניות יבוא	0	0	0	2,195	0	0	0	0	0	0	0	0	2,195
7	הוצ' הופסה ופירות	84	0	0	0	0	0	100	0	0	0	0	0	184
8	חומרים	1,774	4,184	792	4,579	5,209	4,218	4,618	6,999	48	7,077	916	2,336	42,750
9	משרדיות	14	612	0	36	343	0	248	0	40	108	135	87	1,623
10	חשמל	0	608	0	0	526	0	298	500	0	538	0	533	3,003
11	טלפון ואינטרנט	836	726	254	594	293	487	722	404	452	193	300	353	5,614
12	נקיון	0	0	0	0	108	0	0	0	0	0	0	0	108
13	מיסים ואגרות	1,478	0	1,478	0	1,475	0	1,476	0	1,490	0	1,644	200	9,241
14	שכ"ד	1,227	1,215	1,226	1,195	1,171	1,370	1,377	1,281	2,272	1,67	1,166	1,129	14,816
16	הוצ' רכב	1,128	182	297	168	88	210	0	179	1,942	357	23	162	4,736
17	דלק ושמנים	490	250	243	513	852	689	242	0	478	382	891	876	5,906
18	אחזקה ותיקונים	0	90	20	147	277	234	0	56	0	159	380	1,190	2,553
20	דמי חבר קרית האומנים	1,000	1,488	0	0	0	0	0	0	0	0	0	0	2,488
21	הנה"ח	346	0	346	0	346	0	346	1,299	346	346	0	0	3,375
22	חובלת	0	0	0	566	43	0	0	0	0	0	43	0	652

שם מייצג לזיהוי בלבד : הופרט את ברזל
הופק ע"י : עכמאת לחלונות של מ.ל. ברארד : 16/03/2016
ע"פי תעודת רישום (מ"ח) מספר 23710

(ל) הודות הופק גם מנתוני הקובץ הופק

שם העסק : קשמבר יעקב - 994
סוג העסק : יחיד

שנה : 2007
דף : 2
מספר : 2

(*)

יתרות סעיפים לפי חודשים 31/12/2007 - 01/01/2007

למנות 7 - 1 לזמירות : 31/12/2007 - 01/01/2007
ממוין לפי מספר סעיף
לא כלל מע"מ

מספר	שם סעיף	1/2007	2/2007	3/2007	4/2007	5/2007	6/2007	7/2007	8/2007	9/2007	10/2007	11/2007	12/2007	סתי"כ
23	הוצ' משלוחים לחו"ל	0	1,048	0	695	879	0	5,045	0	2,384	3,127	469	529	14,176
25	הוצ' אש"ל ונסיעות	0	0	170	0	0	0	0	0	0	0	0	0	170
26	ארזיה	0	430	0	348	0	470	0	643	436	140	0	394	2,861
27	עמלה	397	299	368	281	408	1,578	1,384	300	1,358	685	741	63	7,862
28	אחריות	0	158	0	0	0	0	0	0	0	0	0	0	158
31	עמלות מכס	350	0	0	473	264	764	0	829	0	347	116	0	3,143
34	דואר	0	0	28	0	23	13	729	39	288	183	277	0	1,767
36	הוצ' פלאפון	135	71	358	116	0	0	134	324	0	204	196	0	1,841
38	עמלה מכירה חוזר	208	450	0	268	35	0	118	0	0	0	0	0	1,079
40	ברטיסר טיסות	0	0	1,834	0	0	0	0	0	0	0	0	0	1,834
49	שכירות קופסה	88	173	0	91	87	88	88	89	90	91	90	0	1,065
50	הוצ' מעלמה	0	0	0	0	3,359	1,874	4,835	1,564	0	0	82	0	11,714
58	הוצ' מחשבים	139	0	1,486	0	580	5,239	1,139	2,020	260	735	0	74	11,672
סתי"כ חוצאות		9,694	13,577	13,289	16,428	22,067	22,667	28,052	26,525	13,861	24,359	8,798	14,934	216,251
הכנסות פחות חוצאות		14,376	19,153	-2,928	9,093	28,875	48,880	42,584	45,814	17,531	32,041	2,258	29,955	287,632
קניית רכוש		0	0	0	0	0	0	0	0	0	0	0	0	0
קניית קניית		12,280	892	0	8,763	0	24,455	0	12,924	12,987	0	575	12,314	85,190
סתי"כ קניית		12,280	892	0	8,763	0	24,455	0	12,924	12,987	0	575	12,314	85,190

שם מייצג לזמיר בלבד : חופרס את ברזל
תאריך ע"י : 16/03/2016 : בוארד
שם מייצג לזמיר של טי.ל. : 23710
תאריך חתום : 16/03/2016 : בוארד
שם מייצג לזמיר של טי.ל. : 23710
תאריך חתום : 16/03/2016 : בוארד

Divider page

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

KAPLAN, *et al.*,
Plaintiffs,

v.

HEZBOLLAH, *et al.*,
Defendants.

Civ. No. 09-646 (RWR)

DECLARATION OF PLAINTIFF MYRA MANDEL

Myra Mandel of Hemed, Israel declares pursuant to 28 U.S.C. §1746, as follows:

1. I am a Canadian citizen, born in Montreal, Canada on November 22, 1961.
2. I am a resident of Israel and currently reside in Hemed, Israel.
3. At the time of the Second Lebanon War in July, 2006, I owned and operated an art gallery in the Israeli northern city of Tzfat. I was also residing in Tzfat at the time and my apartment was located right above the gallery. I sold paintings and giclees primarily to tourists who frequented the artists' quarter in Tzfat. The gallery was the center of my life and I greatly enjoyed being there everyday.
4. On the morning of July 13, 2006 I was working in my gallery. I heard the loud explosions from the rockets being launched at us from Lebanon. As soon as the first katyusha rockets started falling on Tzfat, my anxious husband telephoned me and told me to leave and return home at once. He was fearful for my life and didn't want me to stay and try to ride out the rockets attacks. We had no idea how long they might continue for, but we were hopeful they would come to a quick end.

5. Thinking that I would return to my gallery the next day or the following, I hastily locked the gallery and fled for my life.

6. About half an hour after I left the gallery, a katyusha rocket landed directly on my neighbor's house which was located just opposite my gallery. The gallery building itself sustained some serious damage. The glass windowpanes had been blown out and were shattered from the impact of the rocket. The waterproofing insulation on the roof (Bitumen-polymer (APP) waterproofing membrane) was damaged from rocket shrapnel and from glass falling from the broken windows of surrounding houses.

7. Because of the ongoing war and rocket attacks it was not safe for me to return to my gallery until the end of August. Additionally, Tzfat, which was formerly a bustling tourist destination especially in the peak summer months of July and August, had turned into a ghost town. The tourists stopped coming instantly this dramatically harmed my business. Tourist made up a very large part of my clientele. .

8. As a result of being unable to keep my business open because of the continued katyusha rocket attacks, I did not have any sales for that 2 month period in 2006. It was disheartening when compared to the \$7,060 income of the same period in 2005.

9. My sole source of income was my art gallery. As a result of the continued rocket barrages in the summer of 2006, and the necessary closure of my business, I sustained a loss of income valued at approximately \$7,060. Moreover, to repair structural damages, initially paid approximately \$1,500. In addition, we later discovered that rain penetrated the

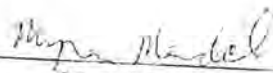
gallery as winter came, revealing additional structural damage that been directly caused by the rocket blast. These extra repairs cost me \$400, for which I did not receive compensation.

10. Having to close my business during the rocket attacks greatly harmed my business. By the time the barrages had come to an end the tourist season was finished and no one would return for quite a while. It was like a ghost town in Tzfat. I have not returned to running my art gallery since the end of the rocket attacks. Although I originally tried to reopen the gallery the following summer, I was never able to regain my previous feeling of safety or passion for my business. These days the art gallery stands vacant. Walking into the gallery space caused me feelings of sadness and anxiety. That, coupled with loss of interest, some of the feeling of depression and trauma, made running the business impossible. Once compromised, my sense of security, and the joy and inspiration derived from the business, cannot ever fully return to what they used to be.

11. Before the rocket barrages I had a feeling of security and a sense of purpose in my life, running my gallery. However, the Hezbollah attacks impacted greatly upon me. I no longer feel at ease and find myself fearful of future terror attacks. Moreover, my business was destroyed and this has harmed me financially.

I declare under the penalty of perjury of the United States of America that the foregoing is true and correct.

Executed on March 29, 2012


Myra Mandel

Divider page

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

KAPLAN, *et al.*,

Plaintiffs,

v.

HEZBOLLAH, *et al.*,

Defendants.

Civ. No. 09-646 (RWR)

DECLARATION OF PLAINTIFF CHAYIM YOSEF KUMER

Chayim Yosef Kumer, of Tzfat, Israel, declares pursuant to 28 U.S.C. §1746, as follows:

1. I am an American citizen and was born in Toronto, Canada on February 27, 1976.
2. I am a resident of Israel and live in the northern city of Tzfat.
3. My wife, Nechama Dina Kumer, who is also an American and I met in Tzfat, Israel and we were married on September 9, 1997.
4. We have seven children, four of whom were alive during the 2006 war perpetuated by the Islamic terrorist group Hezbollah against Israel. Our oldest two children, Malka and Chana Liba, were severely traumatized by the war.
5. I am currently a teacher and musician, though during the 2006 war I was working for a non-profit association.
6. In the early afternoon of July 13, 2006, the first day of the war, I was feeding my children lunch in the kitchen of our home when five rockets suddenly exploded nearby in rapid succession. It was absolutely terrifying. My wife was at work so I was alone with the children

who were all hysterical, and I had to quickly determine how to best take care of them in this extremely trying situation by myself.

7. As the rockets exploded around us, I grabbed the children and sprinted to the communal shelter, which is accessible from our basement (older houses in Tzfat do not have their own reinforced rooms but rather have basement entrances to communal, underground bomb shelters). These bomb shelters are many decades old, and as there had not been a prior rocket attack on Tzfat since we moved there, and this attack was unexpected, the bomb shelter was not operational. It was full of junk (neighbors had used it mostly as a storage area for old items) and it was ill equipped to accommodate all of us.

8. As an increasing number of our neighbors fled to the shelter, it became a scene of pandemonium - overcrowded with several large families (including many young children), all of whom were screaming, crying, and otherwise exhibiting signs of shock. Supplies of emergency food and water were very low, and there were very few mattresses there for the large number of people. There was no bathroom or other facility for attending to personal needs, and we all realized very quickly that we were not prepared for a long stay there.

9. I was stunned from the shock of the attack. As there had been a serious attack by Hezbollah on the Lebanese border the day before, I figured that this attack against a large civilian population center must be the work of Hezbollah. Although they were notorious for targeting civil population centers, usually along the northern border with Lebanon, I was utterly amazed that we had been targeted - it was the first time that Hezbollah fired rockets on the quiet city of Tzfat.

10. As chaotic as it was, while we sat and waited in the shelter, for the first time I was able to shift focus from the safety of my children and I began feeling an overwhelming concern

for Nechama. I wondered whether she was okay and why she was not home yet. I feared the worse, but had no way of contacting her and could not leave the children to go look for her. Thankfully, she finally arrived at the shelter, assuming that this was where we would be. I was very relieved to see her but by then I was feeling woozy from the terrible stress of our situation and began to feel extremely claustrophobic by the congestion of so many people packed into one place and the tension around us. The tension inside the shelter was badly affecting us all.

11. I rationalized to myself that we would be just as safe back in our home (so long as we stayed in internal rooms, without any windows), and after a few hours we (and most of our neighbors) made the decision to return to our homes. We understood that leaving the shelter meant that our lives would be in danger, and that we could be targeted by Hezbollah rockets at any time, but we felt that we had no choice but to return home since staying in the shelter was not a viable solution. I recall thinking what a terrible calculation this was for a parent and spouse to have to make.

12. I felt completely helpless. I thought that the attacks were a one-time phenomenon and would stop in a few hours, but for three days I counted the minutes, minute by minute, until I realized that we were in the midst of a drawn-out war which seemed like it would never end. I have never felt so vulnerable in my entire life.

13. Enduring countless rocket attacks for the next six weeks was one of the most horrible experiences of my life. We had nowhere to go - no family or friends down south to whom we could flee, or extra money for hotel rooms even if we could find one still unoccupied (many of our neighbors took advantage of one of those scenarios), and so we resigned ourselves to staying in our home. Over the course of the next six weeks, we were subjected to countless rocket fire attacks aimed at civilian houses by Hezbollah. These barrages occurred suddenly and

without notice, which made the experience especially traumatic. Eventually a warning siren did ring to notify us of incoming rockets, but even this warning gave us not more than 30 seconds to get to a shelter or otherwise dive for cover.

14. One particularly traumatic experience for me during this time was when I once went to pray in my local synagogue. While I was in the midst of praying, a wave of rockets started to rain down upon us. I looked up and saw people scrambling everywhere, running for their lives and trying to reach the safety of a shelter. I, however, was frozen with fear, and was unable to move from my spot. Luckily, I made it through this attack unhurt physically. But I was deeply affected psychologically. In fact, I was so traumatized from this event that I could not return to my local synagogue for three years. Every time I entered the building, I would hear the haunting whistle of the rockets and see scary images of that event flash in my mind, and I would relive the terror I felt as the rockets closed in around us.

15. As the attacks continued over the course of the war, I started experiencing serious bouts of anxiety. I felt like a duck waddling aimlessly in a field, with heavily armed and ruthless hunters pursuing me. I resigned myself that I might die at any moment. It is a most horrible feeling to know that at any moment a rocket can land on your home and kill you and your loved ones in one fell swoop, and that there is nothing you can do to prevent this from happening. I felt completely powerless and in overwhelming fear all the time.

16. My psychological trouble started to manifest itself with physical symptoms as well. Three separate times my digestive system became blocked, which resulted in my experiencing searing pain above my stomach. I was unable to relieve myself or to throw up, and the pain increased and quickly became unbearable until I was writhing with pain on the ground. During each of these bouts of intense pain I had to be rushed to the hospital and be medicated, to

enable my system to relax so that it could return to operating normally. I clearly recall lying on a hospital bed for hours roiling in pain until I received medication. Eventually my condition was diagnosed as a problem with my gallbladder that was caused by the state of psychological stress I was under. The extreme pain I experienced during these episodes was sharp and unrelenting, and is something I will never forget.

17. I also started suffering from increased feelings of being trapped and constrained. This started during my traumatic initial experience in the first bomb shelter on the opening day of the war. Even when I changed jobs and began teaching at the school where I now work, I was unable to teach if the classroom door was not kept open. Crowded places also started to exacerbate my anxiety. I preferred to avoid them altogether, but if I had to be in a crowded space then I always immediately planned a route out and continued to recalculate various escape routes during the time I was there.

18. Another difficult thing we had to deal with during the rocket attacks was extreme loneliness. Within the first 24 hours of the first rocket attack, we watched our neighbors flee one by one until our entire building had emptied. In fact, most Tzfat residents fled south, and Tzfat essentially turned into a ghost town for the next six weeks. We felt extremely isolated and vulnerable, and that no one would come to our aid (or even know what had occurred) should something happen to us.

19. There was no one giving directions or providing assistance, and we all felt out-of-control. There was a complete break-down in government, as well. Most of the members of the local government also fled south. There were no governmental services - no trash pick-up, transportation services, regular doctors, banks, etc. Only a small local grocer was open, at intermittent times, and we had to walk ten minutes each way just to get basic staples. While in

normal circumstances walking ten minutes certainly is no big deal, when you might very well find yourself in the middle of a rocket attack at any moment, it becomes an extremely traumatic experience. We plotted out which buildings along the route had public bomb shelters and figured out how far we would have to run to get to the nearest ones if we suddenly found ourselves caught in a barrage of rockets. As a result of this situation, I would wait until it was absolutely necessary - when we were completely out of essentials like diapers, toilet paper, milk and eggs - before I would risk going to the grocer. On one of these trips, as I was returning from the grocer, Hezbollah rockets started raining down from the sky. I quickly scampered to the nearest communal bomb shelter and waited out the attack there. I knew that my family would of course be worried sick about me, so as soon as there was a lull in the bombing I hurried home.

20. Another challenge we had to face, which seems like something right out of a science fiction movie, was that packs of large dogs roamed the streets freely. There were no dog catchers left in Tzfat, and evidently many dog owners had simply left their dogs alone outside before fleeing south themselves. The dogs were all completely terrorized from the constant shelling and lack of daily structure - they were traumatized themselves - and they converged together and roamed through the streets howling and displaying other erratic and aggressive behavior. The presence of the packs of dogs running through our streets terrified our children almost as much as the rockets.

21. The 2006 rocket attacks deeply affected me in various ways. The psychological damage I suffered from being subjected to six weeks of incessant rocket attacks has affected me very much, and continues to affect me today, some six years later. For example, I still cannot, to this day, listen to the radio. It is just too much of an anxiety provoking activity for me, and it fills me with fear about what scary event I may come across. Furthermore, while I now have

been able to return to my local synagogue, I still try to go to a different synagogue whenever possible. Although returning to my local synagogue, for the first time three years after the war, was a big achievement for me, whenever I am there, I inevitably get flashbacks of the horrible experience I had there - being frozen in fear during a rocket attack while watching others run for cover, something I was unable to do. When I experience these images, the sense of fear and foreboding I have is palpable, and I have to focus to actively push them out of my mind and this requires a lot of concentration. My local synagogue is thus not the conducive place it used to be for me to focus on prayer.

22. I have sought and undergone a significant amount of professional counselling since the 2006 war. For the first six months after the rocket attacks I saw a therapist once a week, and afterward continued to go for counselling, though on a less regular schedule. I stopped going to therapy once I started to feel better, but just a few months ago I realized that I still am suffering various lingering effects from the trauma I experienced and that I need to schedule further counselling sessions. I still experience debilitating fear in certain circumstances, and need to get this under control.

23. My two oldest children, who were old enough to understand the horror we experienced six years ago, have also had to undergo significant treatment and continue to be affected until today from the trauma they experienced during the war. Both Malka and Chana Liba still suffer, six years later, from the traumatic experience of living through the rocket attacks, even after intensive counselling. They both were treated intensively with various therapies for six months after the war ended, and have continued to be counselled since then. Both girls have been diagnosed with degrees of Post Traumatic Stress Disorder (PTSD) and Anxiety, which manifests in panic attacks, their inability to sleep, nightmares, and an

exaggerated stress responses. Additionally, they exhibit symptoms of low attention, and difficulty learning and remembering. All of us, to different degrees, continue to carry emotional and psychological baggage six years from the trauma of the Hezbollah rocket attacks.

24. As a father, it has been especially difficult to watch my children suffer as a result of the terrorist attacks. My inability to protect them from the profound emotional impact of the attacks still gives me pangs of anxiety and guilt.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on March 29, 2012


Chayim Yosef Kumer

Divider page

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

KAPLAN, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	
)	
HEZBOLLAH, <i>et al.</i> ,)	
)	
Defendants.)	
)	

Civ. No. 09-646 (RWR)

DECLARATION OF PLAINTIFF NECHAMA DINA KUMER

Nechama Dina Kumer, of Tzfat, Israel, declares pursuant to 28 U.S.C. §1746, as follows:

1. I am an American citizen and was born in Nashville, Tennessee on September 4, 1976.
2. I am a resident of Israel and live in the northern Israeli city of Tzfat.
3. My husband, Chayim Yosef Kumer, who is also an American citizen, and I met in Tzfat, Israel and we were married on September 9, 1997.
4. We have seven children, four of whom were alive during the 2006 war perpetuated by the Islamic terrorist group Hezbollah against Israel. My husband Chayim, and our oldest two children, Malka and Chana Liba, were severely traumatized by the war.
5. I will never forget the day July 13, 2006, the first day of the 2006 war, which has forever impacted my family. We were fortunate to survive the rocket onslaught in which Hezbollah mercilessly targeted civilian population centers in Northern Israel, including our small city of Tzfat, for over six weeks. We did not emerge unfazed. The trauma suffered by my family from this war continues to affect us in significant ways, even today.

6. That July day started off normally enough. Even though a Hezbollah rocket had been fired at Mt. Meron (which is relatively close to Tzfat and on which a military installation is located) that morning, no one imagined that our relatively sleepy town of Tzfat also would be targeted. In fact, the attack on Mt. Meron was not a big news story, and no one seemed concerned about it. Offices, schools and summer camps were not let out early and there was no talk of what to do in the event of a rocket attack on Tzfat, because no one thought it would happen. There was simply no preparation for an attack on Tzfat because there was no expectation that Tzfat would be targeted by Hezbollah.

7. Our horrible nightmare began after the kids came home from school and were eating lunch, when all of a sudden Chayim and the kids had to run for cover in the neighborhood communal shelter, which was not at all prepared for this type of threat.

8. I was at work when the first rockets hit, and actually heard them pass overhead and then land close to our building. I happened to be in the bathroom at the time of impact, which was utterly terrifying, and I ran out of there as fast as I could. The building in which I worked did not have a shelter, and I was very worried about Chayim and the children and wanted to get home immediately to be with them. I had no way of knowing whether they were okay or had been hurt, but I tried to keep bad thoughts out of my mind so that I wouldn't go crazy. I was five months pregnant at the time and wanted to be sure to stay calm for myself as well as for the welfare of the baby I was carrying.

9. I made my way outside of the building and could see that everyone else was also leaving work to go home to their families. There were no taxis or buses as the entire city had suddenly shut down. I started to walk home and luckily was able to hitch a ride from a passing car for most of the way.

10. I found Chayim and the kids in the shelter, just where I had hoped they would be. I was so thankful to see that they were in one piece and that they were all together. The shelter was a rather chaotic scene. It was crowded and all around us there was mass confusion, people were hysterical and in shock.

11. Coping with this new reality was hard for me, but trying to explain our situation to our two oldest children was gut wrenching. At that time, Malka was 6 years old and Chana Liba was 5 years old. They were very precocious for their ages, and Chana Liba especially asked all kinds of questions that I couldn't answer. We had a rather comprehensive dialogue about the situation - why Hezbollah would want to kill people in their homes who had done nothing to them, why all of the girls' friends were getting ready to flee down south and why we couldn't (we didn't have family or friends to stay with, and hotels down south were too expensive for us, in addition, vacancies were difficult to find due to the massive numbers of families who fled from the north and needed accommodation). I don't think I realized at the time how capable the two girls were to mentally and emotionally grasp most of what was going on, and therefore how traumatic the whole experience was for them. Having to live through hundreds of sirens and barrages of rockets over the next six weeks, many exploding nearby, in retrospect, it's no surprise that they suffered from post-trauma stress disorder and, to different degrees, are still suffering from this trauma to this day.

12. While I was concerned about my two oldest children, my biggest concern was that Chayim was not in a good state of mind and seemed to be deteriorating as the war dragged on. The hardest thing for me to handle was that Chayim was having regular panic attacks and anxiety and that this was physically affecting him and our kids. This, of course, worked against my efforts to try and make the kids feel as stable and secure as possible, which, given our situation,

was already a losing proposition. But as Chayim's condition worsened, things became even harder for all of us.

13. Chayim suffered both physically and emotionally for much of the war. He had excruciating, recurring abdominal pain which required him to be rushed to the hospital on three different occasions. These symptoms were a result of the psychological trauma he experienced during this time. Twice, Chayim was caught outside of the home during rocket attacks and it devastated him. This happened once while he was at our local synagogue during which he was paralyzed with fear and couldn't run for cover, even though he saw everyone else running around him, scrambling to get to the nearest shelter. The second time he was on his way back from the only market in our area that was still open, where he had gone to get us essential supplies. The stress of being caught in a volley of rockets was just too much for him. I had heard the expression "shell-shocked" before but only now began to really understand it's meaning.

14. We also had numerous other traumatic experiences. Our beloved babysitter, who the girls simply adored, ran into our home screaming one day during the war. Her building had suffered a direct hit by a rocket and now had a gaping hole in its side. She was in total shock. She spent that day with us, playing with our kids and trying to forget about what she witnessed, but I could tell that our girls understood the situation and were also shaken by how scared she was and how very close she was to being hurt herself. It was hard for our girls to digest that the house that they so often went to for babysitting now had a missile go through it and was badly damaged.

15. There was another strange phenomenon that was especially terrifying for the girls, many people who had fled to the south and who could not bring their pets simply left their dogs outside, and thus the city was full of canines roaming the streets in packs. The dogs were all

traumatized from the constant shelling, and were acting strangely and aggressively. Many of the dogs seemed to be starving and appeared to be desperate for food. The people who remained in Tzfat had to be careful about the dogs in addition to the rockets whenever they ventured out. Our girls were extremely afraid of going outside and coming face to face with those abandoned dogs. This made an additional lasting impression on them.

16. Both Malka and Chana Liba still suffer, six years later, from the traumatic experience of living through the rocket attacks, even after intensive counselling. They both were treated with various therapies for six months after the war ended, and have continued to be counselled since then.

17. Both girls have been diagnosed with degrees of Post Traumatic Stress Disorder (PTSD) and Anxiety, which manifests in panic attacks, their inability to sleep, nightmares, and an exaggerated stress responses. Additionally, they exhibit symptoms of low attention, and difficulty learning and remembering.

18. A Psychiatric Evaluation for Malka done by Dr. Rael Strous, MD, USA Board Certified Psychiatrist, is set forth as Exhibit "A."

19. A Psychiatric Evaluation for Chana Liba done by Dr. Rael Strous, MD, is set forth as Exhibit "B."

20. Malka's damage is more severe. Her ability to function socially has been affected. She has, on a regular basis, anxiety and panic attacks. She had one just this week. Malka went out of town for a wedding, and the entire time, during the eight hours she was gone, she was experiencing a panic attack. Even the fact that she was with her sister and surrounded by people she knows from the community didn't help calm her down. Malka called me numerous times telling me how nauseous she was, but the second she came home the nausea suddenly vanished. This condition obviously originates in her head. She was never like that before the war. She

suffers from unexplained stomach aches. Further, because she will not participate in any activities more than a block away from her home, her opportunities for socialization are severely limited. Additionally, her performance in school has suffered from the rocket attacks.

21. When I travelled with Malka to America last summer, she was very uncomfortable and prone to panic attacks if she wasn't with me all the time. Notwithstanding, she reports that she feels much safer in the United States, and plans to move there as soon as she is old enough.

22. Being away from home in general is difficult for her, even if it is just sleeping at a friend's house. A couple of years ago she went to sleep-away camp for two and a half weeks, she hated it because it was so difficult for her to fall asleep at night there. Prior to the war, she would often have sleepovers with other children. Now, she is unable to, and when she tries to, we always need to go get her in the middle of the night because she experienced an episode of anxiety. Malka has a school trip coming up and she doesn't want to go because she is afraid of having a panic attack there.

23. My other young daughter, Chana Liba is also prone to anxiety and panic attacks. It was only a year ago when we finally got her and Malka to stop sleeping together in bed. They are both still scared to walk alone into a dark room, or the bathroom, by themselves. If they need to go to the bathroom at night they want an escort and for someone to stand outside the door while they use it. If we can't do this for them then they become very scared. Since we understood that the trauma they suffered has really been impeding on their quality of life and on their ability to function normally, we decided to hire a specialist in post-trauma disorder who is working with them now and teaching them new skills. We are bearing the expense of this therapy.

24. Both girls rarely talk about the war explicitly, though sometimes they do make a direct association between a panic attack they are having and the war.

25. In addition to the difficulty of watching my children suffer, I have been burdened with the responsibilities of supporting what have become their extensive sets of special needs. From sleeping in the same bed with them, to frequently being woken up at night, to managing their anxieties on a day to day basis – it has been quite taxing on my physical, emotional and mental health. Malka cannot even be left alone on one side of the apartment, or else she decompensates. This is not how we'd hoped our two beautiful daughters would grow up. It is extremely detrimental watching your children go through such a thing and not being able to shield them from this trauma, nor calm their anxieties in the subsequent years.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on March 29, 2012

A handwritten signature in dark ink, appearing to read "Nechama Dina Kumer", written over a horizontal line.

Nechama Dina Kumer

Exhibit A

Rael Strous MD

Psychiatrist

PO Box 940, Beit Shemesh 99000, Israel

Tel: 972-544-628254

Email: rael@post.tau.ac.il

USA Board Certified Psychiatrist

Israel Medical License: 31932

Israel Psychiatry License: 17270

27 January 2012

Psychiatric Evaluation: Malki Kumer

Social Security No: 206652026

Date of Birth: 10 October 1999

This evaluation is based on clinical interview and formal psychiatric evaluation as well as corroborating information supplied by family report. My opinions are stated within a reasonable degree of medical certainty.

Identifying Information

Malki Kumer is a 12-year-old dual USA and Israeli citizen currently residing in Israel. She is in 7th grade at school. She is the eldest of 8 children.

Presenting Problem

At the beginning of the war in mid July 2006, she distinctly remembers hearing the emergency siren for the first time while she was busy at the computer at home in Safed. She was six years old at the time. She heard the explosions of the rockets falling close to her home and she ran to the air raid shelters under her building. She reports feeling very scared and bewildered. Everyone around her, including herself, were shouting and crying and this only compounded her fear. The siren alerts continued every day for some time and she ran to the shelters every time. She recalls people bringing them food (which she now knows were volunteers from outside the city). Most of her friends left the city during the war but she stayed with her family. She recalls feeling on edge, anxious and very scared for the entire duration of the war. She also remembers sleeping on mattresses in the corridor of her home since it was

the safest and most protected area of the apartment in which she lived. All her family slept together in this manner and that at least was comforting for her. The period of the war was very unsettling for her and she reports feeling jittery and nervous every day in anticipation of the next rocket explosion. She also remembers jumping under the table at any loud noise which may have remotely resembled an explosion – just as she had been taught at school to do. She recalls missing her friends very much and was lonely and bored most of the time. This together with her nervousness and “jitteriness” made her very sad during this time. This affected her sleep and she remembers having difficulty falling asleep every night during the war. In addition, she used to wake up several times during the night with fears from her dreams. She remembers seeing the results of rockets – smoke and fires – this was very frightening for her as she describes it. A neighbor of hers and the father of a friend were injured by rocket fire and this only exacerbated her fears.

Long-term Psychological Sequelae Following the Event

Her nervousness which developed as a result of the rocket explosions did not disappear after the war. She continued to have sleep problems and many anxieties which had not been present prior to the war. Several of these problems affected her function socially. For example, to this day she has problems sleeping out at friends. Prior to the war she often spent the night at friends as a “sleepover”. However for the months and initial years after the war, she had great difficulty sleeping out. Even when she did manage to agree to sleep out, her parents would have to come and collect her in the middle of the night due to her anxiety of being away from home. This was a marked change which developed only after the war. She also reports clear “flashbacks” to the sounds of the sirens warning of rockets. For the first few months after the war she would also have trouble leaving the house on her own such as going to school or going to visit a friend. Despite the end of the war, her anxiety level remained high and this markedly affected her independent functioning outside the home. Unlike prior to the war, she required accompaniment to anything outside the house. This took a year or two to resolve – which it did but slowly. Even her school scores were affected – anything with any anxiety associated such as tests affected her ability to function to her potential. She could not cope with anything anxiety provoking. This was a major change from before the war when she was clearly confident and well adjusted as the eldest child in her family.

Very early on these problems were recognized by her parents and school. She was referred to a psychologist for treatment – treatment which she continues in some form to the present. While many of the test related anxiety issues began to resolve, she continues to manifest anxiety issues since the war which affect her functioning.

In a written evaluation dated 25 January 2012, Rivki Mishlubin, her school counselor reports that Malki still suffers from serious anxieties since the war which affect her function. She reports that Malki still has nightmares and requires someone familiar to sleep near her. These anxieties also affect her ability to concentrate which adversely influence her academic performance. She reports that her social function is also adversely affected in that she cannot participate in any activity which takes place far from home. She reports that Malki lost all sense of personal security and suffers from this to this day.

Malki reports that she has visited the USA and wants to move there. She reports feeling much safer in the USA and as soon as she grows up she wants to move there permanently for her safety.

Parental Report

Malki's parents report that she was a very well adjusted and confident child before the war. This all changed after the war. During the war they were not too concerned about her anxieties since everyone was together and despite her obvious suffering the consequences of the war, she did not appear to stand out in terms of the intensity of her response compared to other children. However her anxiety response intensified after the war. She could not do anything alone – she was even anxious going to the bathroom alone in their home. She became dysfunctional in that she could not be left alone even on one side of the apartment. She was not able to sleep alone in a bed let alone in a room alone. She would insist on sleeping in the same bed as her younger sister. She would have frequent stomach aches (for no apparent reason or medical cause) and she would also have intermittent panic attacks with significant anxiety. Her parents believe that she suffered the most of anyone in the family as a result of the war. These problems lasted a long time and only over the past few months has she been able to sleep alone in a bed. Even as recent as several months ago, she was not

able to attend a summer camp alone which was only a few hundred meters away from their home. Her studies at school were also significantly affected which once again only recently is beginning to improve. For about 2 years they report she could not sleep out at friends - something which she loved to do prior to the war. They report that she attended intensive psychotherapy for a long time after the war.

Previous Psychiatric Illnesses

Prior to the bombing event, Malki did not demonstrate any signs of mood disorder or psychiatric history whatsoever. She was social and considered to be a well adjusted child.

Current Medical Illnesses

None.

Mental Status

General appearance: Dressed appropriate for her age. Well groomed. Very engaging.

Behavior: Visibly distressed on talking about her memories of the war despite the time elapsed.

Affect: Anxious affect on discussing her fears of war.

Mood: Reports good mood at present.

Speech: Clear and coherent

Thought disorder: No evidence of formal thought disorder.

Thought Content: No evidence of delusional content.

Perceptual Disorder: No evidence of past or present hallucinations. No evidence of psychosis.

Neurocognitive and neuropsychiatric status: fully alert and oriented. Short-term memory and long-term memory intact.

Impulse Control: Intact.

Insight: Good.

Judgment: Good.

Reliability of Mental status and interview: very good.

Summary of Observations

Malki Kumer is a 12-year-old female with chronic anxiety disorder and symptoms of PTSD beginning in the aftermath of the 2nd Lebanon war in 2006. Most of her problems which affected academic and social function began after the war for which she required chronic professional psychological intervention.

Prognosis

While Malki suffered considerably following the event, in light of the chronic psychological treatment she is starting to demonstrate improvement over the past year or so. She still responds to anxiety provoking situations in an intense manner and it is hoped that over time she will be able to make up lost time from both an academic and social perspective.

Diagnostic Formulation

Axis I:	Anxiety Disorder Post-traumatic Stress Disorder (PTSD)
Axis II:	None
Axis III	None

Rael Strous MD

Exhibit B

Rael Strous MD

Psychiatrist

PO Box 940, Beit Shemesh 99000, Israel

Tel: 972-544-628254

Email: rael@post.tau.ac.il

USA Board Certified Psychiatrist

Israel Medical License: 31932

Israel Psychiatry License: 17270

27 January 2012

Psychiatric Evaluation: Chana Libby Kumer

Id No: 207608779

Date of Birth: 20 November 2000

This evaluation is based on clinical interview and formal psychiatric evaluation as well as corroborating information supplied by family report. My opinions are stated within a reasonable degree of medical certainty.

Identifying Information

Chana Libby Kumer is an 11-year-old dual USA and Israeli citizen currently residing in Israel. She is in 5th grade at school. She is the second of 8 children.

Presenting Problem

Despite being only age 5 at the time and despite the passage of over 5 years since the war, Libby reports feeling very scared at the beginning of the war when she first experienced the explosions of the rocket fire on her neighborhood in Safed. She was confused and could not understand why this was happening during her summer vacation. She reports screaming and crying every time that she and her family had to run to the shelters by their building. The summer was very difficult for her because most of her friends had left and all she remembers was the fear of the noise of the "bombs". She felt safe only at night when everyone in her family slept together in the corridor. She was so fearful that she had to sleep in the same bed as her sister. She remembers being restricted from leaving home and not going anywhere during the summer vacation. She also recalls having bad dreams during this time and scary

thoughts every time her parents would leave the apartment that something may happen to them. She recalls that she remembers these feelings very clearly even though they transpired a long time ago.

Long-term Psychological Sequelae Following the Event

Similar to her older sister, her nervousness which developed as a result of the rocket explosions did not disappear after the war. She continued to have sleep problems and many anxieties which had not been present prior to the war. She could not walk to friends or school alone for a long time after the war – something which she did prior to the war. She was also not able to sleep alone in a bed – she would only sleep if her sister slept in the bed with her. Her bad dreams continued for some time after the war and then gradually disappeared. She remembers seeing a woman (psychologist) who helped her to describe her feelings and helped her to deal with the bad memories and fears of the war and explosions.

Parental Report

Libby's parents report that her problems were most evident at night after the war when she had great difficulty sleeping. She had to sleep together with her sister in the same bed. This continued for several years after the war. They sent her for intensive psychotherapy with a child psychologist for about a year. They also report that she manifested panic attacks which although were mostly associated with any anxiety provoking situation such as loud noises, they also occasionally occurred spontaneously. They report her being hypervigilant and responding excessively to any stressful situation. This never occurred before the war. This also gradually improved with time after the war. They report that Libby's anxieties predominantly affected her social function.

Previous Psychiatric Illnesses

Prior to the bombing event, Libby did not demonstrate any signs of mood disorder or psychiatric history whatsoever. She was social and considered to be a well adjusted child.

Current Medical Illnesses

None.

Mental Status

General appearance: Dressed appropriate for her age. Well groomed. Obviously very intelligent and verbal.

Behavior: Visibly distressed on talking about her memories of the war despite the time elapsed.

Affect: Anxious affect on discussing her fears of war.

Mood: Reports good mood at present.

Speech: Clear and coherent

Thought disorder: No evidence of formal thought disorder.

Thought Content: No evidence of delusional content.

Perceptual Disorder: No evidence of past or present hallucinations. No evidence of psychosis.

Neurocognitive and neuropsychiatric status: fully alert and oriented. Short-term memory and long-term memory intact.

Impulse Control: Intact.

Insight: Good.

Judgment: Good.

Reliability of Mental status and interview: very good.

Summary of Observations

Chana Libby Kumer is an 11-year-old female with chronic anxiety disorder and symptoms of PTSD beginning in the aftermath of the 2nd Lebanon war in 2006. Her anxiety was manifested in sleep dysfunction, social problems and panic attacks. She required chronic professional psychological intervention for about a year after the war.

Prognosis

It is clear that Libby suffered following the war with anxiety. However with psychological intervention she demonstrated improvement. It appears however that there are still residual anxiety issues and she still responds to anxiety provoking situations in an intense manner. It is hoped that over time these anxiety responses will diminish despite the scars remaining from her experience.

Diagnostic Formulation

Axis I: Anxiety Disorder
Post-traumatic Stress Disorder (PTSD)
Axis II: None
Axis III None

Rael Strous MD

Divider page

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

KAPLAN, *et al.*,

Plaintiffs,

v.

HEZBOLLAH, *et al.*,

Defendants.

Civ. No. 09-646 (RWR)

DECLARATION OF PLAINTIFF YAIR MOR

Yair Mor of Rosh Pina, Israel declares pursuant to 28 U.S.C. §1746, as follows:

1. I am an American citizen and was born in Jerusalem, Israel on November 29, 1958.
2. I am a resident of Israel and currently live in Rosh Pina, Israel.
3. In 1962, my family moved to the United States, where I lived with my parents until 1972.
4. I am married and have three sons. Eden, born on December 12, 1986, Nadav, born on April 8, 1990 and Eli, born on March 7, 1991.
5. At the start of the Second Lebanon War in July, 2006, I was living in Rosh Pina and owned an art business in Tzfat, Israel. The business, which was started in 2000, consisted of an art gallery with a restaurant/café and an adjoining factory area where we manufactured special artifacts that included hand made "Talitot" (prayer shawls) and yarmulkes.

6. During the summer of 2006 I employed fourteen employees distributed between the three different work areas.

7. My business income is dependent on tourists that come to Tzfat during the summer tourist season. Sixty percent of my yearly income is generated in those three short months of June, July and August.

8. The years prior to 2006 had shown successive growth in my business and 2006 looked very promising, we were expecting a growth of an additional 20-30% in comparison to the year before. Our gross income in 2005 was 1,900,000 ₪ (the equivalent to nearly \$550,000). Those dreams and expectations were shattered when the first katyusha rocket landed in Tzfat from Lebanon.

9. At around 2pm on the first day of the rocket attacks,, my business was booming. The dining area on our balcony overlooking a beautiful view was packed with tourists. Suddenly, I heard three sharp, piercing whistling sounds and then three very loud booms.

10. Within seconds the beautiful calm was shattered. My customers became hysterical and began to panic. In their frenzy to find safety, tables were overturned and plates shattered on the floor. It was a very scary moment for all of us and everyone was stunned. .

11. Since the factory area was the most reinforced and protected area, I directed all the tourists there and tried to comfort the hysterically crying children and elderly people. We remained there for about half an hour and then I made sure that all the tourists were either on their buses or in taxis, and were heading out of Tzfat for safety.

12. Since the tourists fled, it wasn't necessary to have all my employees stay on that day. The only employees that remained that day were the factory workers. But after several

hours when the rocket attacks became more intense, we determined it was much too dangerous to stay where we were and we closed shop. I returned home to Rosh Pina, and was not able to reopen the business until after the the rocket barrages ended in the end of August.

13. Rosh Pina also proved to be unsafe for me and my family. We also experienced the rocket fire there and after a harrowing attack which shook my entire house, my wife and I packed up several suitcases and left with our sons for what we hoped would be safer ground in Tel Aviv – a city further south in Israel.

14. What we thought would be a short weekend of displacement turned into a six week odyssey. During this period we stayed with different friends here and there but also needed to stay in hotels since it is hard for a family of five to be accommodated in someone else's home. We really felt like we were an imposition and were uncomfortable taking advantage of other's hospitality for so long.

15. The expenses were overwhelming. Between eating meals out, hotel bills and making necessary purchases of items that we couldn't take with us when we hastily evacuated Rosh Pina, I was spending approximately 10,000 shekels a week (the equivalent of almost \$3,000). This extra 60,000 shekel (approximately \$18,000) expenditure was acutely felt since my business was closed and I was not taking in any income.

16. Around the second week of the rocket attacks I was informed that a rocket had hit my business. Under the cover of darkness, when rocket attack was usually minimal, I travelled back to Tzfat to assess the damage.

17. Indeed, my business had been badly hit with a rocket. I was unable to open the pull down metal doors since they had been warped from the rocket impact. The glass windows

had been shattered and I was only able to peer inside. Everything was completely shattered. Since the rocket attacks were still going on there wasn't much more that I could do so I boarded up the windows to prevent animals or thieves from entering and left.. I was very scared about the business. It was my family's livelihood and it now seemed to be totally destroyed. I was very upset throughout the duration of the rocket attacks about all the wreckage and felt frustrated that I couldn't get back up to Tzfat to try and access the destruction.

18. At the end of August I was finally able to return to Tzfat to ascertain the actual damage. Not only were the works of art and glass shelving completely destroyed but the building sustained structural damage from the impact of the katyusha rocket.

19. With regard to income lost, I sustained a loss of 520,000 Shekels (approximately \$150,000), based upon the prior year's income for the same time period (the duration of the war). This amount does not even take into account the rapid growth the business had undergone and the expected increase from the prior year of an additional 20%-30%, which is 104,000– 156,000 Shekels (approximately \$30,000- \$44,500). As well as the extra six month that my business was standing practically vacant until tourists began returning to Tzfat, the lose in these additional months adds up to a minimum of 350,000 Shekels (\$100,000), without taking into account the business growth (these months are not in the high season).

20. My lost inventory amounted to approximately 95,000 Shekels (a little over \$27,000)

21. Most devastating, however, was the structural damage to the gallery which had been built to very high standards of quality. The very expensive Marvin windows had all been

blown out from the impact of the rocket. In addition, the rocket caused cracks throughout the walls and blew out and split in half a solid wooden door on the third floor.

22. When I replaced the shattered windows I could not afford to use the expensive Marvin windows. Instead I had to use standard windows and I was unable to recreate the beautiful look the Marvin windows provided.

23. Many of the cracks still remain. I do not have the funds to make all necessary repairs; we must live with them. They also call into question the soundness of the building's structure. Despite the repairs and replacements the gallery does not come close to resembling its former self.

24. The end of the rocket attacks on Israeli cities did not bring a revival of tourists to Tzfat. When it broke out in July, because of the uncertainty of how long it would last, people were already cancelling their November and December trips. As a result, my business did not pick up for another six or seven months and I lost approximately an additional 350,000 shekel (approximately \$100,000) in revenue.

25. During the time period while I was waiting for tourism and revenue to pick up, I continued to pay the salaries of my skilled artisan workers who I had trained in my unique craft. Over that six month period I paid five workers approximately 25,000 shekel a month. This added another 150,000 shekel (approximately \$44,000) in losses sustained as a result of the Hezbollah rocket barrages.

26. In addition to the substantial economical losses that the war caused me, my family and I also went through a terrible ordeal which traumatized and affected us in many ways.

27. It is difficult to forget the overwhelming fear I felt for my life and the lives of my loved ones, as well as the fear of losing everything I have worked for, my home and my business.

28. I believe the worst thing of all was watching my children lose their sense of security. That feeling of safety, the feeling most people have in their homes and usually take for granted, was now stolen from my children and me and there is no telling when or if we will ever get it back.

I declare under the penalty of perjury of the United States of America that the foregoing is true and correct.

Executed on March 29, 2012



Yair Mor

Divider page

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

KAPLAN, *et al.*,

Plaintiffs,

v.

HEZBOLLAH, *et al.*,

Defendants.

Civ. No. 09-646 (RWR)

SUPPLEMENTAL DECLARATION OF PLAINTIFF YAIR MOR

Yair Mor of Rosh Pina, Israel hereby supplements his original declaration pursuant to 28 U.S.C. §1746, as follows:

1. The Second Lebanon War occurred during July 2006-August 2006. The city of Tzfat, in which my business was located, bore the brunt of Hezbollah's katyusha rocket attacks during the peak of the tourist season.
2. The attached balance sheet is a business record made at or near the time, from information transmitted by myself to a certified accountant. I, as owner of the shop, had knowledge of the transactions and accurately transmitted the records to the certified accountant. The records were kept in the course of regularly conducted activity of the business.
3. The attached balance sheet reflects the business' income during the periods of July-August of the years 2005-2008.

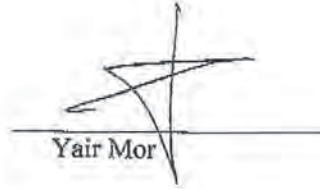
4. In July 2005, the business generated income of 167,233 New Israeli Shekels ("NIS"). In August 2005, the business generated income of 182,193 NIS.
5. Income for the period of July-August 2005 equaled 349,426 NIS.
6. In February 2006, I moved the business to a new location in Tzfat. The new business was located in the prime tourist area of the city, and I expected income to grow by 20-30% during the period of July-August 2006.
7. Because of Hezbollah's attacks on Tzfat, the resulting drop in tourism, and the constant threat posed by the rocket-fire, I was forced to close my business from July 13 until the end of August.
8. As a result, the income for July 2006 was 33,105 NIS (most of which was earned before July 13, the date of the first rocket attack). The income for August 2006, was 22,662 NIS.
9. The total income for the period of July-August 2006 equaled 55,767 NIS.
10. In July 2007, a year after the war ended, the business generated income of 239,387 NIS. In August 2007, the business generated income of 307,858.
11. The total income for the period of July-August 2007 equaled 547,245 NIS.
12. In July 2008, the business generated income of 295,378 NIS. In August 2008, the business generated income of 277,570 NIS.
13. The total income for the period of July-August 2008 equaled 572,948 NIS.

14. By averaging the income generated during July-August of 2005, 2007, and 2008 I reached the estimated amount of income that the business would have generated had Hezbollah not attacked the city of Tzfat in July-August of 2006.
15. The average of the July-August 2005, 2007, and 2008 equals 489,873 NIS. This is 434,106 NIS less than the business' actual earnings during July-August of 2006.
16. The total estimated loss of income is even greater if we only average the income from the July-August period of 2007 and 2008. This is probably the better method of calculation because, as previously mentioned, I had moved the store in February 2006 to a significantly better location.
17. The business generated approximately 200,000 NIS more income in 2007 and 2008 respectively than it did in 2005 in the business' old location.
18. The average income for the periods of July-August of 2007 and 2008 equals 560,096 NIS. This is 504,329 NIS less than the business' actual earnings during July-August 2006.
19. Using today's conversion rate (July 9, 2015), the total loss in prospective income for the period of July-August of 2006 attributable to Hezbollah's rocket attacks on the city of Tzfat equal USD \$133,096.46
20. Although the rocket attacks ended towards the end of August, tourism did not normalize until about six or seven months after. This caused a loss of approximately 350,000 NIS of income.

21. Additionally, I suffered lost inventory of approximately 95,000 NIS due to damage caused by rocket-fire.
22. Using today's conversion rate (July 9, 2015), the total cost of lost inventory for the period of July-August of 2006 attributable to Hezbollah's rocket attacks on the city of Tzfat equals USD \$25,071.26.
23. The business suffered structural damage as well. Unfortunately, I was not able to replace all of the specialized materials that were damaged as a result of the rocket fire. As a result, the gallery does not look like it did before the July-August 2006 period. The inferior appearance of the gallery since July-August 2006 affects business until today.
24. Aside from the expenses and losses suffered by my business, I incurred personal expenses as well. The city of Rosh Pina, where I resided during the war, was very unsafe.
25. In order to protect my wife, my five children, and myself we travelled to Tel-Aviv. We remained in Tel-Aviv for six weeks, until the immediate threat passed. We were required to buy clothing because we left Rosh Pina in such haste that we were unable to properly pack. We also had to pay for housing and dietary expenses.
26. We incurred expenses of approximately 60,000 NIS during the six-week period.
27. Using today's conversion rate (July 9, 2015), the total expenses incurred during the six-week period attributable to Hezbollah's rocket attacks on the city of Tzfat equal USD \$15,834.48.
28. Using today's conversion rate (July 9, 2015), the total out of pocket losses attributable to Hezbollah's rocket attacks on the city of Tzfat equal USD \$174,002.20

I declare under the penalty of perjury of the United States of America that the foregoing is true and correct.

Executed on July 9, 2015


Yair Mor



יוסף הורוביץ - ר"ח
משה אושרת - ר"ח
אברהם לוגסי - ר"ח
אברהם מלוג - ר"ח
חנינא אפלוקר - ר"ח
חני אפלוקר - ר"ח
אלי הררי - ר"ח
איילת מלוג ששון - ר"ח
רבקה מנגוני * משפטנית
שגיא סרדל - ר"ח
אוריאל אבנון - ר"ח
מיקי ניצן - ר"ח
ענבר ויסבך - ר"ח
אביגיל אילן - ר"ח
ניסים ארזי - ר"ח
דוריס אדרעי - ר"ח
צביה לאמאש - ר"ח
שרה נסיך - ר"ח
מנחם כרמל - ר"ח
רובא סאדר - ר"ח
דני בירנבוים - יועץ מס
* יועצת מס

חצור, 3 יוני, 2015
ט"ז סיון תשע"ה

לכבוד

גלריה כנען
מור יאיר ואורנה

א.ג.נ.

לבקשתכם וכרואי חשבון המטפלים בענייני המס שלכם הריני לפרט מחזורי

העסקאות לחודשים יולי אוגוסט לשנים 2008 – 2005.

שנה	יולי ₪	אוגוסט ₪	סה"כ ₪
2005	167,233	182,193	349,426
2006	33,105	22,662	55,767
2007	239,387	307,858	547,245
2008	295,378	277,570	572,948

סניף ראשי והנהלה
שד' ההסתדרות 32, ת.ד. 25192
צ'ק-פוסט, חיפה, 31251
טל': 04-8416789
פקס: 04-8416797
דוא"ל: CPA@Homal.co.il
אתר: www.horovitz-cpa.co.il

סניף השרון והמרכז
ת.ד. 228 מושב בית יצחק, 42920
טל': 09-8336741
פקס: 09-8336751
דוא"ל: betizhak@Homal.co.il

סניף העמקים
רח' החורש 11, קרית טבעון, 36051
טל': 04-9832908
פקס: 04-9531048
דוא"ל: tiven@Homal.co.il

סניף הגליל העליון
בית אלון, אזה"ת חצור הגלילית, 10300
טל': 04-6800037
פקס: 04-6801528
דוא"ל: hazor@Homal.co.il

סניף הגליל - כרמיאל
רח' היוצרים 19, בית ר.מ.א.,
ת.ד. 1078, כרמיאל, 20100
טל': 04-9889980
פקס: 04-9889981
דוא"ל: karmiel@Homal.co.il

סניף נצרת עלית
רח' דרך החטיבות, מרכז שו"פ
ת.ד. 1286, נצרת עלית, 17111
טל': 04-6024888
פקס: 04-6024999
דוא"ל: n-ilit@Homal.co.il

בכבוד רב
הורוביץ, אושרת, מלוג, אפלוקר, לוגסי
רואי חשבון



Divider page

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

_____)	
KAPLAN, <i>et al.</i> ,)	
)	
Plaintiffs,)	Civ. No. 09-646 (RWR)
)	
v.)	
)	
HEZBOLLAH, <i>et al.</i> ,)	
)	
Defendants.)	
_____)	

DECLARATION OF LAURIE ANN SENDLER RAPPEPORT

Laurie Ann Sendler Rappeport of Tzfat, Israel declares pursuant to 28 U.S.C. § 1746, as follows:

1. I am an American citizen and I currently reside in Tzfat, Israel. I was born in Detroit, Michigan on March 29, 1958.

2. I am the mother of five children. My son Avishai was born January 1, 1986, my daughter Ariel was born September 7, 1987, my daughter Yochi was born November 21, 1989, my son Chaggai was born September 24, 1992 and my daughter, Margalit Chen, was born April 15, 1996.

3. At the time of the Second Lebanon War in 2006, I was living in the northern city of Tzfat with my children. I was working at Leave Notes, an Israeli education program for students from abroad, which was also located in Tzfat.

4. When news that the first katyusha rocket from Lebanon had fallen on July 13, 2006, I was at work. My daughter, Margalit, who was nine at the time, was home by herself. I

grew very concerned and I immediately returned home from work because I did not want her to be alone if more rockets were launched. That afternoon we remained around our home following the developments, waiting for news and trying to figure out what we should.

5. At about 7:00 pm, a rocket launched by Hezbollah landed on a neighbor's house across the street from us. I heard the sound of an explosion and crashing glass as the windows of my home blow in. At first I was very confused and frightened as I wasn't really sure what had happened. I thought it might be sonic booms from low flying airplanes. It was totally unexpected and left me in shock.

6. When the rocket hit, my daughter Margalit, was outside playing in the tree house that was in our yard. The rocket had landed very close to Margalit, only about 65 feet from where she was playing. The force of the rocket violently blew her out of the tree house, which was about six feet high, and threw her to the ground.

7. As Margalit laid on the ground, one of our family dogs grabbed her and dragged her quickly into the house. She came into the house hysterically crying and screaming. I had no idea what had happened to her since I did not realize at first that a rocket had landed that close to her. Margalit was very scared and shaken. It was difficult to access what had happened to her because she was screaming. I grabbed my daughter and tried to determine if she was alright.

8. Outside our house I saw a lot of mist in the air. A water pipe had been hit and the water was blowing in all directions. At that time, however, I did not realize that the mist was only water, and I feared that a gas pipe had been hit and that the gas was pouring out. I was afraid that the gas could ignite and explode. Accordingly, in terror we quickly ran outside and up a staircase to the street above our house to get away from the dangerous situation.

9. When we reached the street above us, we realized that another rocket had landed

there as well. Medical crews were already working there and trying to assist the injured. A neighbor from that street had been killed in the rocket explosion. The medics were evacuating his body on a stretcher. Margalit saw them loading the man into the ambulance. For a ten year old girl this was very shocking and she became even more distressed and scared.

10. We realized that the entire city was under rocket attack and that no street was really safe. We ran around the neighborhood not knowing exactly what to do or where to go. We ran to a public bomb shelter and stayed there for a while. After that, I contacted a friend and we ran out of the shelter and to her apartment. Her home had a fortified, underground room which we wound up staying in for the next couple of days.

11. There were rockets hitting civilian neighborhoods in the north of Israel almost every hour and a full scale military operation against the terrorists had begun. I did not know if we should leave Tzfat and try to get to some other area that may be safer or stay near our home. I was conflicted because Margalit was very upset and traumatized by the events she had just witnessed and survived. She was very frightened and just wanted to get out of Tzfat as soon as possible. But I also had my other children to think about. My son Avishai, was serving in the army and was scheduled to come home on a leave for the weekend. I wanted to be there for him near our home when he returned. I intended to speak with him and decide together what we should do. So we did not leave Tzfat at that point and stayed until after the Sabbath. I did not know where we could go to or whether leaving was the right choice at all.

12. On Saturday night, July the 15th, Margalit and I left Tzfat and drove south near Tel Aviv to be with some people we were friendly with. We were told that the center of the country near Tel Aviv was probably out of the missiles' range and with so many people being killed and injured from the massive rocket barrages we felt we had better try to find some

measure of safety. We stayed with our friends there for two weeks. Then we moved to be with some other neighbors from Tzfat in an apartment where they were staying. Next, we moved near Jerusalem to some other people that we knew and we stayed with them for a couple weeks. The rockets continued to hit cities all over the north of Israel and we could not return home. The apartments that we were lodged in were very crowded and small. We lived with other families. In addition, to paying some money to the people we were staying with, we incurred many extra costs and expenses as a result of not being able to return to our own home. It was a very frightening and uncomfortable time. We did not know from day to day what would happen. The instability and uncertainty of our lives filled us with stress and tension. Margalit had been through a tremendous shock and the continuing war made it impossible to place her in a really stable environment.

13. It was horrible moving around from place to place. I didn't know what to do. I knew that I couldn't go back to Tzfat with Margalit who was only nine at the time and was traumatized and scared by the rocket attacks that we had experienced. I was afraid she would completely collapse if we returned home.

14. On the other hand, I wanted to be at home in Tzfat and wanted to help my children and the community. My older daughter, Ariel, who was also in the army at the time, didn't have a place to stay in the south. She had a dog that no one wanted to take care of, so she ended up coming back to Tzfat by herself with the dog for a couple of weeks. I didn't want her to be by herself because I was afraid for her safety with the on-going rocket attacks and other dangers of a young women living in an abandoned city alone.

15. My son, Avishai, was also coming back and forth from the army during that time and there was nobody in Tzfat for him either. He was at first stationed in the south near Gaza and

then was transferred up north near Lebanon. I was worried about his safety and wanted to be home for him.

16. When the rockets started falling, my place of employment, Leave Notes, was turned into volunteer headquarters for those seeking to assist during this rocket crisis. All the volunteers stayed there and would get their daily assignments and visit the people who were stuck in their apartments, for example, the elderly whose caretakers had left and people who couldn't get into bomb shelters. I wanted to volunteer there but I could not go back to Tzfat and have Margalit all by herself with the risk of more rockets landing in Tzfat.

17. For the entire 5 week long period of the rocket attacks I didn't know which child I was supposed to take care of first. I did not know where I was supposed to be. Every day I woke up with this reoccurring and panicky feeling of not knowing what am I supposed to do first, what are my responsibilities and who should I take care of first.

18. In addition, my two other children, Yochi and Chaggai were in the United States at the time. We decided that when those two children would return from the United States we would all go back to Tzfat. Fortunately, when they finally arrived back in Israel it was the day the ceasefire went into effect.

19. Shortly after Margalit returned to Tzfat and resumed her studies, I was contacted by her school because of behavioral issues that my daughter was experiencing. She was angry, unruly and acting out in class; her teachers could not deal with her. Before the rocket attacks, she had never had behavioral problems. I understood this was a direct result of the traumatic experience she had endured.

20. I took her to a therapist for some crisis intervention. We both underwent therapy but it was mostly for Margalit. I enrolled her in several months of drama therapy and she was

taught calming techniques to employ when she experience fear, panic or other extreme emotions. Over time, there was a slight improvement in her symptoms.

21. There had been a great deal of damage to our home and much of our belongings had been destroyed. We had to replace the insulated windows and glass panes that were shattered by the katyusha rocket.

22. Around the time of the one year anniversary of the rocket attack that injured my daughter I relived the entire event. I again experienced the entire feeling that from one day to the next everything had just changed so dramatically. My whole life was suddenly thrown into confusion and uncertainty. I continuously think about what happened, what I should have done, what I didn't do and what I would do next time. These thoughts haunt me and leave me nervous and unsettled.

23. Whenever I see the neighbors, whose house suffered a direct katyusha rocket hit with everyone inside, memories of the attack are triggered again for me. Their children were friends with my daughter. Several of the children were badly hurt and have physical scars and impairments. I relive the trauma of the attack and the entire horrifying experience whenever I see them. It triggers the utter shock, fear and despair of what had happened to us.

24. For the first couple of years after the attack, I was very affected by sirens and noises like the ones that sound before the national Memorial Days and Holocaust Days commemorations. It was as if I had to take a couple of deep breaths to calm myself when I hear them and go on. It brings up very difficult thoughts. These days I am learning to prevent these sounds from upsetting me so much. My daughter still suffers from the trauma she endured.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

January 31, 2012

Laurie Ann Sendler Rapoport
Laurie Ann Sendler Rapoport

Divider page

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

KAPLAN, *et al.*,

Plaintiffs,

v.

HEZBOLLAH, *et al.*,

Defendants.

Civ. No. 09-646 (RWR)

DECLARATION OF PLAINTIFF MARGALIT RAPPEPORT

Margalit Rappeport, of Tzfat, Israel, declares pursuant to 28 U.S.C. §1746, as follows:

1. I am an American citizen and was born in Tzfat, Israel on April 15, 1996.
2. I am a resident of Israel and live in the northern city of Tzfat.
3. On July 12, 2006, Hezbollah carried out a brutal terrorist attack along the Lebanese border that left several Israeli soldiers dead and injured. On July 13, 2006, what would later be known as the opening day of the rocket attacks, I was home alone.
4. At the time of the onset of the war, two of my older siblings, Avishai and Ariel, were serving in the army. My other two older siblings, Yochi and Chaggai, were abroad at the time.
5. Shortly after the first rockets fired by Hezbollah from Lebanon landed in Tzfat, my mother, Laurie Ann Sandler Rappeport, returned home from work. That afternoon we remained home and nervously awaited developments in the crisis. My mother listened to the news and tried to keep me from being frightened.

6. At about 7:00 pm, a rocket launched by Hezbollah landed on a neighbor's house across the street from us. At the time, I was outside playing in the tree house in our yard. Suddenly, I heard a terrifyingly loud explosion and shattering glass. The rocket landed about 65 feet away from me and the force of the explosion threw me out of the tree house, which was about six feet high.

7. As I laid on the ground, unable to move because I was in shock, one of our family dogs grabbed me and began dragging me into the house. I remember being really scared and screaming as my mother tried to calm me down.

8. Outside our house I saw a lot of mist in the air. A water pipe had been hit and the water was blowing in all directions. At that time, however, we did not realize that the mist was only water, and feared that a gas pipe had been hit. I was frightened that the gas could ignite and explode. In a panic, my mother grabbed my hand and we quickly ran outside and up a staircase to the street above our house to get away from what we thought was a dangerous situation. We expected the street to blow up at any second.

9. When we reached the street above us, we realized that another rocket had landed there as well. Medical crews were already working there and trying to assist the injured. A neighbor from that street had been killed in the rocket explosion. The medics were evacuating his body on a stretcher. That really shocked me. I was terrified that the man had been killed and I was frightened my mother and I could be killed too. I remember crying uncontrollably as I watched the medics and all the people move dazed through the streets.

10. We soon realized that the entire city was under rocket attack and that nowhere exposed was really safe. My mother dragged me around the neighborhood not knowing exactly what to do or where to go. I was very scared as we moved from

place to place. Though we soon found a public bomb shelter and stayed there for a while, we ultimately took refuge with my mother's friend who had a fortified, underground room, where we stayed for the next couple of days.

11. I was very frightened and just wanted to get out of Tzfat as soon as possible. On Saturday night, July 15th, 2006, my mother and I left Tzfat and drove south near Tel Aviv to stay with friends, where we remained for two weeks. Then we moved to be with some other friends in a cramped apartment. Next, we moved near Jerusalem to some other friends, where we stayed for a couple of weeks. The rockets continued to hit cities all over the north of Israel and we could not return home. The apartments that we were lodged in were very crowded and small. It was horrible moving around from place to place. I never understood where we were going to be sleeping. I do not like the instability, all the strangers and the uncertainty of what would happen to us next.

12. All the while, I was also scared for my siblings who were in the army. I felt very alone without any of my other siblings being around. I just wanted everyone to be home together – safe and sound – the way it was before the rockets began to fall.

13. When we returned home, we found that our house had been badly damaged. Many of my personal belongings and toys were damaged. I had to throw them all away so I would not have to look at them every day and be reminded of the attacks.

14. Shortly after we returned to Tzfat and I went back to school, I began having trouble at school. My mother was frequently contacted by the principal because of my "behavioral problems". She was told I was angry, unruly and acting out in class; that my teachers could not deal with her. I felt like I was losing control

of my situation. This was all new for me – I was previously never in trouble at school. I remember always feeling afraid, and experienced severe stress during this period – never really being able to sleep well.

15. I began therapy for crisis intervention. I also began drama therapy to learn calming techniques for when I experienced fear, panic or other extreme emotions.

16. During the rocket barrages, my neighbors suffered a direct katyusha rocket hit to their home with everyone inside. Several of their children were badly hurt and have physical scars and impairments. Seeing them is difficult for me, and triggers my anxiety. It brings back all the terrifying images I try to forget.

17. Over the years I have come to realize I deal with stress differently than other children that did not directly experience the trauma of the rocket attacks and the stress of the war-time atmosphere. For example, I'm afraid much more than they are. I feel my fears are justified, but oftentimes my peers seem unfazed by every day things that terrify me, like being in a closed space, a plane flying overhead, or a loud noise from construction. I'm also generally more nervous and anxious than my friends. This sometimes impacts ordinary decisions in my every day life: taking public transportation, always having enough drinking water with me, avoiding small spaces, ensuring a bomb shelter is nearby, always needing to be aware of the whereabouts of my immediate family members, and so on.

18. In addition to being diagnosed with an anxiety disorder, I have also been diagnosed with depression. This manifests in various ways, but is most markedly apparent when I am with my friends. They just seem happier and more care-free than I am able to be. On good days, I am just slightly more morose than my unaffected friends. On bad days, I have trouble getting out of bed and just feel

terribly sad and overwhelmed. The anniversary of the rocket attacks is always an especially hard time for me as I re-live all the terrifying experiences. To this day, sirens and loud noises cause me to feel panic.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on March 29, 2012



Margalit Rapoport

Divider page

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

KAPLAN, *et al.*,

Plaintiffs,

v.

HEZBOLLAH, *et al.*,

Defendants.

Civ. No. 09-646 (RWR)

DECLARATION OF PLAINTIFF AVISHAI REUVANE

Avishai Reuvane of Tzfat, Israel, declares pursuant to 28 U.S.C. §1746, as follows:

1. I am an American citizen and was born in Los Angeles, California on June 29, 1972.
2. I am a resident of Israel and live in the northern city of Tzfat.
3. My former wife, Elisheva Aron, is also an American citizen.
4. In 2001, before we met, Elisheva and I both immigrated to Israel individually. Each of us came here alone, without any family or friends.
5. We met in Israel and got married in 2003.
6. We are the parents of Ben Tzion Reuvane, who was born on April 20, 2008.
7. In July, 2006, Elisheva and I were living together in Tzfat. We had been formally divorced in 2005, but at that time were making an attempt at reconciliation.
8. Before the Hezbollah rocket attacks, I was working as a handyman, and was trying to establish myself as a plumber.

9. On July 12, 2006, when Hezbollah started shelling civilian areas in the north of Israel, it soon became very obvious that this time it would be very different from previous attacks. Rockets began falling on Tzfat – which was unprecedented.

10. I find it difficult to describe the feeling that the sky is not safe; that at any given moment bombs can literally fall on your head. Those feelings were only intensified by the fact that we didn't have a bomb shelter in our house, nor one close by.

11. On July 13th, a katyusha rocket hit the roof of the house next to ours. The noise was deafening. Smoke and debris entered our home in plumes. Although we obviously felt, and were, very unsafe in our home, we believed we did not have any viable options. Having a missile hit so close to us further deepened my anxiety and fear.

12. Later that day, I was in our home office, and another Katyusha rocket hit the neighbor's house directly adjacent to the wall I was standing next to. The intensity of the impact, which occurred less than 10 feet from me, threw me up in the air and across the room, smashing me against the opposite wall. This caused me to lose consciousness and sustain several injuries.

13. When I regained consciousness, and began slowly realizing what had happened, I was in a great shock, and started to feel intense pain as a result of my injuries. I experienced an overwhelming fear for my life, and the life of Elisheva.

14. After I got hurt, Elisheva and I felt as though we could not stay another minute in Tzfat. Even though it was already night time, we didn't have a car of our own and it was unclear whether we could find public transportation out of Tzfat at that time. Although it was obviously unsafe to expose ourselves on the roads, we took our chances, and luckily, made our way south. The overwhelming sense of panic made it impossible for us to wait until morning, and we made the decision to flee at all costs. Even the realization that we had no place to go to didn't stop us.

We were both relatively new to the country and didn't have family or many friends. Upon our departure from Tzfat, we couldn't find a decent place to stay and we couldn't afford paying for alternative housing since we had very little money. Our bank, which was located in Tzfat, was closed due to the on-going war and there was no one we could speak with about either taking out a loan or receiving an extension of credit on our account.

15. When we arrived in Jerusalem, I felt a compelling urge to visit the Western Wall in the Old City. Following the horrific events of that day which left me badly hurt both physically and emotionally, I felt the need to visit this holy place and pray. While walking in the Old City, I encountered two Arab men. These two men started harassing me. They taunted me as I walked away, seemingly determined to pick a fight. They started making offensive comments regarding the fact that I'm Jewish, the rockets falling on Israeli cities and my injuries.

16. Eventually I felt something inside me snap; I couldn't stop myself from reacting and ended up engaging in a physical fight with them. All the built up anxiety and tension overwhelmed me.

17. I was never a violent man and my behavior that night was very unlike myself — totally inconsistent with anything I have done in the past. The enormous distress and tension of the preceding days had taken a toll on me, and my encounter with these men was the last straw.

18. Ultimately, I paid a very heavy price for my actions that night. I was arrested on account of the fight, and even though I explained the circumstances to the court, I was still sentenced to a year in jail.

19. The time spent in jail was extremely hard for me. I had never pictured myself as a criminal, and never before came anywhere close to committing a criminal act. Were it not for the

horrifying experiences we had just gone through it would not have happened to me. The thought of Elisheva all alone having to deal with the situation made things even harder for me.

20. Being in jail made it impossible for me to properly recover from the trauma. Being locked up and surrounded day and night by a bad crowd with no one to help me or talk to me about what I went through only caused my mental state to deteriorate further.

21. Since the rocket attacks I have been in a constant state of anxiety. The experience of having my life turned upside down so suddenly and drastically causes me to live in constant fear, wondering when it might happen again.

22. For years I felt unable to concentrate on the future or focus on rebuilding my life, both personally and professionally. I have made some attempts but was never able to follow them through.

23. Since the rocket attacks I have become nervous, constantly on edge and have an extreme sensitivity to even minor things. Before the Second Lebanon War, I was calm and even-tempered. In the past couple of years I have been receiving some help and I do feel as though there is an improvement, but there is still much work to be done. My symptoms since the rocket attacks mirror those associated with Post Traumatic Stress Disorder. I overreact to certain stimuli, I have trouble regulating my responses to every day situations, I have trouble concentrating on and following through on tasks, my interpersonal relationships have suffered, and I am often depressed.

24. After I was released from jail I returned to living in Tzfat. It was the only place I knew here in Israel. Further, since Elisheva and I were no longer together and the living expenses are much lower there than they are in the center of Israel, I felt as though I had no other realistic alternatives. Living in Tzfat is not easy, and I have to be confronted on a daily basis with

29-MAR-2012 13:02 From:

To: 046820370

Page: 5/5

the fact that the Hezbollah missiles can be fired again on Tzfat at any moment. Walking around Tzfat, I still often look up at the sky frightened that they might be coming down on me.

Executed on March 29, 2012


Avishai Reuvane

Divider page

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

KAPLAN, *et al.*,

Plaintiffs,

V.

HEZBOLLAH, *et al.*,

Defendants.

Civ. No. 09-646 (RWR)

DECLARATION OF PLAINTIFF DANIELLE SAUTER

Danielle Rak Sauter of Moshav Hinanit, Israel declares pursuant to 28 U.S.C. §1746, as follows:

1. I am an Israeli citizen and was born in Rio de Janeiro, Brazil on September 12, 1985.
2. I am a resident of Israel and currently live in Hinanit, a Moshav in eastern Israel.
3. My husband Jared, who is an American citizen, and I met in Taos, New Mexico, and we were married on November 26, 2003.
4. In early 2006, Jared and I made perhaps the biggest decision of our lives when we chose to move to Israel and build a family there. I arrived in Israel in June, 2006, one month before the outbreak of Second Lebanon War. Jared, who arrived approximately 3 month before me, travelled ahead in order to organize the necessary needs for our lives there. This included finding a house to live in and employment that would support us.

5. Jared and I have two daughters: the eldest, Ariel, born on October 10, 2004, and Mikayla, born on March 3, 2011.

6. I am a homemaker; I work at home taking care of the house and my daughters.

7. At the time of the Second Lebanon War in July, 2006, I was living in Rosh Pina, Israel with Jared and my oldest daughter, Ariel, who was a year and ten months at the time.

8. When the sirens went off in our area, indicating a katyusha rocket attack, I was at home with Ariel. I was scared and nervous for our safety since our house did not have a bomb shelter and it was a great distance to the nearest one. The sound of the nearby explosions was horrifying. I did my best to keep my daughter calm when she became petrified by the rocket sirens and explosions.

9. Fortunately, Jared returned from work as quickly as he could and we spent the rest of that day and night together, frightened and unsure what would happen to us. Over the course of that sleepless night, we decided it was unsafe to stay in our home and that we have to leave.

10. The next morning we packed all our important items and fled Rosh Pina in our car as quickly as we could. The drive from Rosh Pina was one that I will never forget. With rockets falling all around us, we sped away running for our lives. When sirens went off we had to take cover under highway overpasses as we felt the earth shake with the rocket's impact. My sense of anxiety was overwhelming as I witnessed Jared's sense of helplessness. There was no way of

hiding the fact that he had no idea what was going to happen to us. He felt vulnerable and ill-equipped to protect his family.

11. We sought refuge from the hostilities in my aunt's house and stayed there for two months. It was a very stressful and uncertain period. Staying in someone else's home while a war rages around yours created feelings of constant anxiety and instability for us. We decided that we could not return to living in Rosh Pina. I was too nervous and uncomfortable just thinking about moving back. I had no desire to renew our lease there. But we had to return to collect the rest of our belongings that we had left in our haste to flee for safety.

12. Thankfully our home was not damaged by the rockets. We did, however, suffer a financial loss of approximately \$15,000 when we discovered that the power tools and equipment that my husband had purchased to use in his new business had disappeared during the time that we were forced away from Rosh Pina due to the rocket attacks and could not adequately protect or secure our home and belongings.

13. Prior to the War, Jared had been employed as an agricultural landscaper and a goat cheese maker. When the war broke out, he was planning to open up a new business dealing with greenhouse construction and grey water system design and installation. Now this was not going to happen.

14. This was a great blow to us. The loss of \$15,000 in equipment was not something that we were in a financial position to replace. Being displaced from our home and temporarily on the move, my husband was also not able to continue working at his prior jobs. He had to give up his dream of having his own business.

15. These events were very stressful for us as a family. At first we used our meager savings to live off of, approximately \$10,000, but that soon came to an end and we quickly realized that my husband must find some sort of employment. My husband was devastated by the business setback and further demoralized by the low paying job he had taken as a mechanic. However, Jared needed to put food on the table.

16. Shortly after the War, my husband started experiencing panic attacks which were set off by large crowds or loud noises. These panic attacks negatively affected his ability to function at work, and also affected his emotional ability to deal with every day tasks and situations. This has taken a significant toll on our marriage and created a lot of stress and uncomfortable feelings between us. He had bouts of insomnia and difficulty falling asleep and staying asleep. My husband's personality changed and he was frequently irritable. He attributed this to the rocket barrage we had experienced from which we fled.

17. As a result of the marital stress we were experiencing which stemmed from Jared's emotional fears and anxieties following the war and his financial worries also caused by the war, we began to see a therapist. We spent about \$5,000 of our own funds to attend weekly sessions. The therapy has helped somewhat but must be continued to make sure that we stay on track. As a wife it is difficult to witness your husband feeling helpless and inadequate. We are constantly trying to work together to move on but the long lasting effects of the rocket attacks continue to plague us. Many days I feel depressed and anxious and unable to function properly.

18. In addition to the emotional and financial toll of these experiences, I have also suffered a deterioration of my health. I had to undergo two surgeries since the ending of the War, one a result of a burst appendix, and the other a removal of a femoral cyst. Both ailments,

in particular the former, are commonly known to be stress induced. This was moreover substantiated by the emergency room staff.

19. Due to my entire dedication to fulfilling my roles as wife and mother, I was left with very little time and energy, and did not have adequate funds to properly take care of myself. This stress has already manifested in its effect on both my physical and emotional health. The trauma I experienced during the War has obviously affected me and certainly will continue to influence me, both directly and through my husband, for many years to come.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on March 29, 2012

A handwritten signature in dark ink, appearing to read 'Danielle Rak Sauter', is written over a horizontal line.

Danielle Rak Sauter

Divider page

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

KAPLAN, *et al.*,

Plaintiffs,

v.

HEZBOLLAH, *et al.*,

Defendants.

Civ. No. 09-646 (RWR)

DECLARATION OF PLAINTIFF JARED SAUTER

Jared Ryan Sauter of Moshav Hinanit, Israel declares pursuant to 28 U.S.C. §1746, as follows:

1. I am an American citizen and was born in Albuquerque, New Mexico on July 30, 1983.

2. I am a resident of Israel and currently live in Hinanit, a town in Eastern Israel.

My wife Danielle and I met in Taos, New Mexico, and we were married on November 26, 2003.

3. Danielle and I are the parents of two daughters: Ariel, born on October 10, 2004 and Mikayla, born on March 3, 2011.

4. In early 2006, Danielle and I made a decision to take our lives in a different direction and to move to Israel and raise a family there. It was only three months before the outbreak of Second Lebanon War when I arrived in Israel. I spent these months mainly on my

own, since we decided Danielle and Ariel should stay behind in America, waiting until I was able to organize the necessary needs for our lives here. This included finding a house to live in and employment that would support us.

5. I am currently employed as an auto mechanic.

6. At the time of the Second Lebanon War in July 2006, I was living in the Northern Israeli town of Rosh Pina, with Danielle and, Ariel, who was almost two years old at the time. I was working as an agricultural landscaper and goat cheese maker and was in the process of starting my own greenhouse construction and grey water system design and installation business.

7. When the first rocket was launched by Hezbollah and the sirens went off in our area, indicating a katyusha rocket attack, I was at work. Danielle, who was a stay at home mom, was at home with Ariel. I was scared for their safety because the home we were renting did not have a bomb shelter and it was quite a distance to the nearest one.

8. I returned home to quite a panicked situation and did my best to calm my wife and young daughter who were afraid of the loud explosions of the rockets falling all around. Other rockets fell that day in short order all around us. I didn't sleep at all that night out of fear that a rocket would hit our house.

9. After an anxiety-ridden night that seemed like it would never end, we decided to evacuate Rosh Pina in the morning and flee for somewhere safer. I could not continue to have my wife and daughter placed in harm's way. My wife and I packed our bare necessities into our car and we left Rosh Pina as quickly as we could.

10. The drive from Rosh Pina was very tense as well. Rockets were falling all around us. When sirens went off we took cover under highway overpasses as we felt the earth shake with the rocket's impact. I was very scared that if a rocket fell nearby we could be killed right out on the highway. The sense of helplessness was overwhelming and I felt totally out of control. I had no idea of what was going to happen to us. What was worse was the feeling that I would be unable to protect my family.

11. We sought refuge from the rocket assaults in my wife's aunt's house and stayed there for two months. It was during this time that we decided we could never return to Rosh Pina. The thought of moving back caused us too much stress and anxiety. Even thinking about it filled me with feelings of fear. The experience we went through was life altering and I would not take my wife and daughter back there again.

12. With this firm decision made we still needed to return to Rosh Pina to collect the remainder of our belongings we had left in our haste to flee for safety.

13. Upon returning to our home I discovered that all my equipment and tools had disappeared during the month that we were forced by the rocket barrages to be away. These tools consisted of all the equipment that I had purchased for my new business of greenhouse construction and grey water system design and installation. Some of the missing items were: a circular saw and table saw, a lawnmower, socket wrenches, weed eaters, electric pipe bending press, miter saw, chop saw, jig saw, trimmer, pneumatic nail gun, 20 pieces 10 feet on 2 inch steel pipe, 10 electric water pumps, 95 mm. clear plastic 100m, 3/4 in. snap-on socket seat 5.5mm-24mm, 3/4 in. ratchet, 1/2 in. socket set 8mm-32mm, 1/2 in. ratchet, combination wrench set 8mm-32mm. The combined estimated value of the equipment was \$15,000.

14. I could not believe that this had happened to me. My dreams of opening up my business had been stolen from me. I did not have any money to buy all new equipment and continue with my plans. It was very upsetting and disappointing. The Hezbollah rocket attacks had thrown our financial situation into an upheaval.

15. While we were refugees from our home I was unable to find a decent paying job. Though I found a little work here and there, we ultimately had to live off our savings, about \$10,000, which we quickly went through.

16. We settled in Even Yehuda, a city in central Israel, and I found a very low paying job as a mechanic. I would have to start at the bottom and work my way up in salary. This was very stressful for me. I had my future dreams all planned out in my new business and now I had to start from square one. Instead of being able to move forward as planned I was concerned with the basics of putting food on the table for my family. I was unsure and scared as to how we would financially handle this unsettling situation.

17. Shortly after the rocket assaults ceased, I began experiencing panic attacks which were set off by being in large crowds or hearing loud noises. I still suffer from the panic attacks today. These feelings of extreme anxiety manifest with sudden fear and nervousness, as well as physical symptoms such as sweating and my heart racing. This affects my daily functioning and general quality of life.

18. I also have insomnia and suffer from stress which is caused by the rocket barrage my family and I lived through. Prior to the rocket attacks I slept soundly, only waking up in the morning when my alarm clock would go off. I struggle now to fall asleep and wake up easily

with the slightest noise. This in turn affects and hinders my ability to work. I constantly feel stressed out and irritable. As an auto mechanic I need to be well rested and able to function at full capacity since I am ultimately dealing with people's safety.

19. After the end of the rocket assaults, my wife and I saw a therapist to help deal with my stress, insomnia and panic attacks which were caused by the barrage of rocket attacks and subsequent business setback that I had experienced resulting from the Second Lebanon War. We spent about \$5,000 out of pocket and attended weekly sessions for the first couple of years. Financially unable to keep this up, over the last two years, our therapy has decreased to about one session every six months just to make sure that I am still on track.

20. The anniversary of the outbreak of the rocket attacks brings back all the terrifying memories of experiencing and fleeing the rocket attacks. I try to delete them as much as I can. It is difficult to erase the feeling that nowhere is safe, and that I am totally helpless to physically protect my family. I try very hard to remember my life and that of my family before the rocket attacks disrupted our lives. I do my best everyday to move forward.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on March, 29 2012


Jared Sauter

Divider page

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

KAPLAN, *et al.*,

Plaintiffs,

v.

HEZBOLLAH, *et al.*,

Defendants.

Civ. No. 09-646 (RWR)

DECLARATION OF PLAINTIFF MIKIMI STEINBERG

Mikimi Chochmat-Lev Steinberg of Tzfat, Israel declares pursuant to 28 U.S.C. § 1746, as follows:

1. I am an American citizen and was born in Boston, Massachusetts on December 21, 1962.
2. In September 1979, when I was 16 years old, I immigrated to Israel and have been living there ever since.
3. I have a daughter named Maya who was born on December 12, 1985.
4. My daughter Maya currently lives in Kiryat Malachi, Israel, a city she also lived in during the 2006 Second Lebanon War. This city is located south of Tzfat.
5. At the time of the Second Lebanon War in July, 2006, I was living by myself in a rooftop apartment in the northern city of Tzfat and was employed as an occasional babysitter.

6. At that time, I was awaiting ankle surgery for a prior ankle injury and it was very difficult for me to get around. The ankle surgery was postponed because of the rocket attacks.

7. Just before the first katyusha rocket from Lebanon fell on Tzfat, my daughter Maya came to evacuate me from my rooftop apartment. My limited mobility due to my ankle injury literally made me a sitting duck and I feared for my life if I were to remain in my apartment by myself. I was afraid I would not be able to reach a shelter in time before a rocket fell.

8. I moved in with my daughter in Kiryat Malachi and frightfully followed the progress of the rocket barrages on the internet and the news. I did not know what was happening to my friends, apartment, and belongings that had remained in Tzfat while katyusha rockets rained down on them from Lebanon.

9. Fortunately, my foresight proved fortuitous. On the last Friday of the war, I was notified that my apartment had sustained a direct hit by a katyusha rocket. Had I been home, I would not have made it out of the apartment in time to reach a bomb shelter. There is very little time between when the siren goes off indicating that a katyusha rocket is incoming and the time that it strikes – approximately ten seconds.

10. This short amount of time coupled with my ankle injury would have made me unable to seek safety in time. I am convinced that had I not fled from Tzfat I would have been killed. This thought is absolutely terrifying. To think that I might have been killed had I remained in my home is extremely frightening and stress inducing. Although I try to keep my mind from focusing on it, the image of being in the apartment when the rocket struck returns all the time.

11. A short while later I was able to return to Tzfat to ascertain the damage to my apartment. The katyusha rocket had broken thorough a wall near my kitchen. Had its force been a little stronger it would have gone through my bedroom wall as well. Luckily, the rocket fell backwards and exploded on the roof, one level below.

12. The shock of returning to my apartment that I once felt safe in was overwhelming. I was welcomed by a large gaping hole in my apartment, and shattered glass and grey rubble strewn everywhere.

13. When I saw the size and the location of the hole, it further convinced me that had I been home at the time of the attack, I probably wouldn't have made it out alive.

14. Many of my belongings were also destroyed as a result of the katyusha rocket striking my apartment. My bookcase was demolished as well as many of my books, a special religious objects collection and many other personal belongings. The toys that I used for my babysitting job were destroyed and my refrigerator was damaged as well. While these things can be replaced, it is the emotional damage that is overwhelming. Having to clean up the destruction, repair the structural damage and thinking that I could have been killed had I stayed home was very shocking and has left me with feelings of depression. Years later, I would still find shards of glass and grey rubble and suddenly find myself reliving the emotional anguish of the attack on my apartment.

15. In addition, my close friend who I would frequently visit with and lived two floors down in my building was injured by shattered glass when the rocket impacted. The windowpanes of her apartment exploded from the impact of the katyusha rocket. Hearing about the injury to my neighbor was very scary for me. It forever shattered the illusion that I am safe and protected in my own house.

16. Since my apartment was rendered uninhabitable as a result of the rocket attack, after the war, I had to stay in a hotel until the time that I could return to live in the repaired apartment again. I lived in a hotel in Tzfat for about two and a half months and then with a friend for another month beyond that.

17. At the end of August, 2006, while I was residing in the hotel after returning to Tzfat, I was finally able to undergo the ankle surgery I had previously scheduled at the time when the rocket attacks broke out. During the long recovery period that followed my surgery, my mobility was significantly limited and I had to use a wheelchair for several months.

18. While I was still not allowed to return to my apartment because of ongoing repairs, there were times that I needed to enter the apartment for various reasons. This period proved very difficult for me both physically and psychologically.

19. The katyusha rocket had damaged the building's elevator and it had not yet been completely fixed. Getting up to my rooftop apartment on the ninth floor was very difficult after the ankle surgery and in order to climb up I had to sit down on the steps and go up them one at a time. That struggle often led me to tears feeling very helpless and frustrated.

20. The company that was contracted to fix all of the damaged houses was completely overwhelmed and the repair of my home took a great deal of time. I was scared to be in the apartment alone until the wall damage was fixed. I could not look at the hole in the wall. It was too painful and frightening for me. I would start shaking just thinking about coming into the house and seeing the rocket's damage.


21. On the anniversary of the attacks, I disassociate myself from the dates. Doing so makes it a little easier for me to cope with the emotional stress and anxiety caused by the fact

backed up and fixing my home took a great deal of time. I was scared to be in the apartment all by myself until the wall damage was fixed. I could not look at the hole in the wall. It was too scary for me. I would start shaking from just thinking about coming into the house and seeing the damage.

21. On the anniversary of the attacks, I disassociate myself from the dates. It is easier for me to cope with all the emotional stress and anxiety caused from the fact that my apartment was hit by a katyusha rocket and that perhaps I would have been killed in that attack.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on March 30, 2012


Mikimi Chochmat-Ley Steinberg

Divider page

Rael Strous MD

Psychiatrist

PO Box 940, Beit Shemesh 99000, Israel

Tel: 972-544-628254

Email: rael@post.tau.ac.il

USA Board Certified Psychiatrist

Israel Medical License: 31932

Israel Psychiatry License: 17270

29 June 2015

Psychiatric Evaluation: Avishai Reuvane

Date of Birth: 29 June 1972

This evaluation is based on clinical interview and formal psychiatric evaluation, as well as my review of the discovery materials in this case as listed in my introduction. My opinions are stated within a reasonable degree of medical certainty.

Identifying Information

Avishai Reuven is a 43-year-old male dual USA and Israeli citizen currently residing in Tekoa, Israel. He was born in Los Angeles, California, Missouri. He is the oldest of 4 siblings. His parents currently live in Chicago where his father is an engineer and his mother is an administrator. He attended Texas A&M College on a football scholarship, however he left after a year after he lost his scholarship due to injury (non-sports related). He moved to Israel in 2001. He is divorced (2008) with one child (son) currently aged 7. While he was only married for under 3 years, he has been together with his previous wife for many more years due to frequent failed attempts at reconciliation. He is currently working in a mushroom factory as a shift manager.

Presenting Problem

On July 13, 2006, he reports that he was in Safed together with his wife at the beginning of the Second Lebanon war. He recalls that Hezbollah started firing rockets at civilian cities in northern Israel, including his city of Safed. He was at his home while his wife was somewhere else in the city when 2 katyushas (rockets) hit his and his neighbor's house. The first hit at around 8 am and the second at 11am. He remembers it well since it was his Hebrew birthday. After the first rocket hit he was in shock. He reports that the walls cracked and he was in panic. He immediately called his wife and instructed her to stay where she was since she was in a more protected area of the neighborhood. He remembers looking outside his home and seeing a line of katyushas coming towards his neighborhood and apartment. He remembers it vividly as if the rockets were coming in a straight line from out the sky right at him. He recalls being at the window witnessing the event and then suddenly being blown across the room. He reports that he lost consciousness. When he came round and realized what had happened, he was dazed and in "great shock". He reports being injured during the blast and sustained a large painful hematoma on the left side of his body. As soon as he came to his senses, he reports getting up and running downstairs in order to flee the building. He reported that he felt an overwhelming fear for his life and for that of his wife, Elisheva. On the way down the stairs, he noted a neighbor also in shock standing by her doorway. He grabbed her and her baby and helped them down the stairs to the middle of the building which was considered more protected and safer. He later briefly returned to his apartment for food and clothes. He then remembers going to the area where his wife was at the time and taking her to an even more protected area of the city.

During this time, he felt as if he was "dodging rockets" in order to find his friends safe house. He sincerely believed he was going to die that day. He recalls being very nervous and frightened. He tried to concentrate on his wife and getting her to safety, but the inner anxiety and fear was overwhelming. He felt that he could not spend another moment in Safed due to his overwhelming sense of panic. He remembers stopping a bus and "catching a ride" to Jerusalem in order to stay temporarily at a friend's house. He reports this time as being extremely stressful, having abandoned his home with all his possessions and the knowledge that he could lose it all. He felt

insecure as a result of not having a place to stay, with no family or friends for support and having very little money (compounded by the fact that his bank in Safed was closed and he had no access to his limited funds). Due to what he reports as overwhelming stress, he indicates that he was not thinking clearly. The next day he went to pray at the Western Wall. He reports that he felt intimidated and mocked at by some local Arabs. He recalls that he felt harassed and taunted by them commenting on the fact that he was Jewish, that rockets were falling on Israel and the fact that he was showing some signs of injury. He reports that he simply "snapped" and took someone's knife and held it to the neck of one Arab while grabbing another's throat. He reports that all the "built up anxiety and tension overwhelmed" him. He indicates that he was looking for a fight and an outlet for his anxiety and stress. He does not know what came over him since he is not a violent man and that the behavior was very inconsistent with anything he had done in the past. The only explanation he thinks he can give was that the enormous distress and tension that he had experienced in the previous days had taken a serious toll on him. He was subsequently arrested by the police after a few hours. The police were of Bedouin ethnicity which did not help matters. With them too he fought. He does not know why he acted as he did during that day except to say that he is sure that he was "upset and overwhelmed" at being rocketed out his house" by Hezbollah and that he took it out unfairly on local Arabs. He was severely punished for this misjudgment in behavior and received 13 months prison sentence. He denies having used any drugs or alcohol during the time.

He reports that prison was very difficult emotionally for him especially since it came as a result of being already stressed and emotionally drained from the trauma of the rockets in the north and his close encounter with death in his apartment. He also never had the opportunity to "properly recover from the trauma". He indicates that there was only one other English speaker in the prison; however this prisoner spent most of his time in solitary confinement so he did not have much interaction with him. When he was finally released, he started drinking heavily every day in order to deal with his anxiety and frequent mood swings – none of which he reported he had ever experienced prior to the rocket event and subsequent prison. This was followed by heavy drug use which included marijuana, LSD and ecstasy, all this he did in order to "self-treat" his difficulties and depression. This included chronic low mood, with associated poor sleep, increased irritability and agitation. All this was a marked

change in behavior and mood from before the war and a change that he feels is not attributable to the prison experience, but rather to how he feels he reacted to the rockets. Prior to the rockets, he declares that he had only engaged in very occasional recreational drug use – consisting of marijuana and minor alcohol use and never any "heavy drug use" of the type that he used after the war.

After a few years of this drug use and his social and occupational life being markedly affected, he finally agreed to serious drug rehabilitation. However it took him years to internalize that he needed help and that all his problems resulted from him trying to manage his underlying anxiety following the trauma to which he was exposed during the war. He indicates that he attended the Returno drug rehabilitation clinic for a period of 6 months and that this helped him a great deal. While at Returno, he met with a psychiatrist on only two routine occasions – once on admission, and once more later for routine follow up.

He reports that the years took their toll with his frequent problems and interactions with the police, the courts and his relationship struggles. In the rehab program, he worked intensely on his reaction to the rockets and his traumatic response to the experience. He reports that even though his relationship was often stormy with his wife, at the time of the rockets they were officially divorced, they were working on mending their relationship and thus were together again at the time of the war. However in the aftermath of the war, including the resulting time spent in prison and his subsequent alcohol and drug use after being released from prison, they never were able to return to where they were before the war. He feels much of this was attributable to his marked personality change during the war, after which he became aggressive, irritable and unstable. While he denies ever hitting his wife, he would be rough with her including grabbing her in an aggressive manner when irritable. He understands that this was too much for her, culminating in her finally leaving him for good when he went to Returno for drug rehabilitation.

Long-term Physical and Psychological Sequelae Following the Event

Mr. Reuvane indicates that he feels that his whole outlook on life was irreversibly changed since the events of the war in 2006 and being close to death from the falling

katyushas. Prior to the war, he reports that he was never fearful of Arabs or Muslims. However something "snapped" inside him during his experience and ever since he has become fearful of Arabs and Muslims and aggressive towards them since he feels threatened and cannot overcome this strong emotion. He thus indicates that since the war, it takes very little to be "set off" by Arabs.

PTSD symptomatology

1. Reports intermittent nightmares of "nuclear Holocausts" for years after the war. Over the last few years, he reports that they have abated.
2. He reports that he has avoided going back to the area in Safed where he had lived before and where he had his close encounter with death. This is despite the fact that he did move back to live in Safed again albeit in a different area of Safed.
3. He indicates that he gets flashbacks to the event with the Katyusha whenever he hears any siren or loud noise. Immediately he feels palpitations and sweating as if it were recurring. This he reports can be very tormenting and frightening even though he knows cognitively that it happened a long time ago. He describes that he never was easily scared, however since the rocket event; all has changed in this area since the experience was so powerful for him.
4. His self-esteem has been affected and he feels guilty for how his behavioral changes have affected his family (ex-wife and child).
5. In general, he reports that he is more jumpy than he used to be in the past. This includes what he describes as "extreme sensitivity to loud noises in general, and sirens in particular, such as those on the Day of Remembrance and Holocaust day (Yom Hashoa). Once again, he can experience palpitations, anxiety and can even "piss in his pants". Overall, he feels that he is "constantly on edge" – a marked difference from before the 2006 war.

He believes he has not recovered to this day from his years of downward spiraling, anxiety, drug use, irritability and aggression which began after the rocket experience. Nevertheless, he is trying hard to get his life together again and regrets the damage he has caused to others as a result of his irritability, however much he feels he was not in control at the time as a result of the trauma. He believes that his life has been affected

irreversibly including the fact that many doors are now closed to him since he was in prison. This includes other "inconveniences" such as not being able to own a handgun (due to his prison record) which he feels is essential for anyone in the area in which he lives due to the danger travelling on the roads.

Previous Psychiatric Illnesses

Mr. Reuvane reports no psychiatric history of any type prior to the terror suicide bombing event.

Alcohol or Substance Use

He reports no use of any drugs at present. He does admit to occasional minor alcohol use on social occasions as well as smoking (cigarettes). He does not believe that he has a current problem with alcohol.

Current Medical Illnesses

Denies any problems besides asthma – takes Ventolin occasionally as needed

Family Psychiatric History

Denies any.

Mental Status

General appearance: Appropriately dressed and groomed. Tattoos on his body (from before moving to Israel).

Behavior: Outwardly cooperative. His apparent openness turns to distress on recalling the experience when he was blown across the room by a katyusha in his apartment building.

Affect: Euthymic affect when discussing his life and problems. Overtly tensed up when describing the event with the katyushas during the war and his subsequent efforts to escape the danger. Able to switch to a less tense demeanor when discussing his son.

Mood: Admits to still feeling depressed at times – however less than before.

Speech: Clear and coherent

Thought disorder: No evidence of formal thought disorder.

Thought Content: No evidence of delusional content.

Perceptual Disorder: No evidence of past or present hallucinations. No evidence of psychosis.

Neurocognitive and neuropsychiatric status: fully alert and oriented. Concentration and attention ability is intact.

Impulse Control: Intact.

Insight: Good.

Judgment: Good.

Reliability of Mental status and interview: very good.

Psychological Testing

HAM-D rating scale and PTSD scale (PDS) were administered.

The Hamilton Depression rating scale (also known as the Ham-D) is the most widely used clinician-administered depression assessment scale. The original version contains 17 items (HDRS17) relating to symptoms of depression experienced over the past week.

The **Post-Traumatic Stress Diagnostic Scale (PDS)** is a 49-item self-report measure used in clinical or research settings to measure severity of Post-traumatic Stress Disorder (PTSD) symptoms related to a single identified traumatic event. The PDS has four sections. Part 1 is a trauma checklist. In Part 2, those completing the scale are asked about this most disturbing traumatic event including when it happened, if anyone was injured, perceived life threat, and whether the event resulted in helplessness or terror. Part 3 evaluates 17 PTSD symptoms. Respondents are asked to rate the severity of the symptom from 0 ("not at all or only one time") to 3 ("5 or more times a week / almost always"). Part 4 assesses influence of the symptoms in their lives.

Scores indicate presence of mild depression (score of 9 on the Ham-D) and severe PTSD (score of 44 on the PDS). Please see attached documents with detailed scoring.

Comments of former wife – Elisheva Aaron

Ms. Aaron reports that at the time of the war in 2006, although she and Avishai were officially divorced, they were attempting reconciliation and were living together again. She indicated that after Avishai was injured, their "sense of distress" and "overwhelming fear" for their lives led them to flee Safed in the middle of the night (without their belongings) for Jerusalem where they had a place to stay, albeit with no furniture. She states however that in Jerusalem, the reality of their lives became even "more unbearable". She relates that Avishai decided to go to pray in the old city at the Western Wall "following the horrific events of that day". She reports that after he received offensive comments from a few Arab men in the vicinity, he engaged in a physical fight with them. She reports that this was a marked change in character for Avishai who she says "had always been a peace loving, calm, and completely non-violent person". She attributes his uncharacteristic behavior and "loss of control" as an obvious reaction to the events of that stressful day. After this event, she stated that her family was destroyed and that Avishai and she never managed to get back together again after the year he spent in jail even though they tried several times. She believes that clearly "he is a changed man – for the worse" since the war period.

Summary of Observations

Avishai Reuvane is a 43 year old male with signs and symptoms of PTSD, persistent depressive disorder (chronic dysthymia) and polysubstance abuse (in remission) since being exposed as a civilian to war in 2006. During this time he experienced several katyusha rockets falling around him and was mildly injured when one fell close to his apartment. He found it difficult to cope with what was subjectively for him an overwhelming experience. It took a heavy toll on him and led to a marked change in his mood and behavior with him experiencing significant anxiety and aggression in order to cope with overwhelming inner emotions. Much of his behavior was affected by intense anger outbursts affecting his close interpersonal interactions as well as exchanges with strangers, which represented a marked change from before the loss. In addition, his aggression towards individuals of Arab ethnicity was uncontrolled at times due to his perception that they were to blame for his traumatic experiences. This lead to problems with the law and a 13 month period in prison due to untoward aggression towards Arab persons as well as polysubstance abuse.

Prognosis

Avishai Reuvane suffered considerable distress and anxiety following exposure to and being injured from rocket blasts in Safed during the war in 2006. Due to his resultant anxiety, stress and constantly being on edge, he believes his life has been irreversibly affected. It is not expected that his strong feelings of anxiety affecting many areas of his personal and interpersonal functioning will resolve in the short term, and they will continue to affect him in the future.

Diagnostic Formulation

309.81 (F43.10) Post-traumatic Stress Disorder, moderate to severe

300.4 (F34.1) Persistent Depressive Disorder; mild severity, with pure dysthymic syndrome

304.80 Polysubstance dependence, sustained remission



Rael Strous MD

Attachments: **HAM-D rating scale results**

PDS scale

Curriculum Vitae (Rael Strous MD)